



## 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:** 14/12/16/3/3/1/2907

**Enquiries:** Ms. Mathodi Mogorosi

**Telephone:** (012) 399 9388 **E-mail:** [MMogorosi@dffe.gov.za](mailto:MMogorosi@dffe.gov.za)

Mr. Ernst Jordaan Burger  
Sculptor Energy (Pty) Ltd  
PO Box 36588  
**MENLO PARK**  
0102

**Telephone Number:** (082) 449 7672  
**Cell phone Number:** (082) 449 7672  
**Email Address:** [development@lewton.co.za](mailto:development@lewton.co.za) / [ernst@edras.co.za](mailto:ernst@edras.co.za)

### PER EMAIL / MAIL

Dear Mr. Burger

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE UP TO 240MW RONDEBOSCH 1 SOLAR PARK SOLAR PHOTOVOLTAIC FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR MIDDELBURG, WITHIN THE STEVE TSHWETE LOCAL MUNICIPALITY, MPUMALANGA PROVINCE**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and the 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 from 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 the 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: 03/05/2024

cc:	Ms. Jacolette Adam	Exigent Engineering Consultants cc	Email: <a href="mailto:jacolette@exigent.co.za">jacolette@exigent.co.za</a>
	Ms. N.S. Masoka	Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs	Email: <a href="mailto:nsylvia706@gmail.com">nsylvia706@gmail.com</a>
	Mr. Mandla Mnguni	Steve Tshwete Local Municipality	Email: <a href="mailto:mmoffice@stlm.gov.za">mmoffice@stlm.gov.za</a>



## forestry, fisheries & the environment

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

# Environmental Authorisation

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

The development of the up to 240MW Rondebosch 1 Solar Park Solar Photovoltaic Facility and associated infrastructure Middelburg, within the Steve Tshwete Local Municipality in the Mpumalanga Province

### Nkangala District Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/2907</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>Sculptor Energy (Pty) Ltd</i>
<b>Location of activity:</b>	<i>Portion 2 (Remaining Extent) of the Farm Rondebosch 403 JS Portion 196 of the Farm Rondebosch 403 JS Steve Tshwete Local Municipality Nkangala District Municipality Mpumalanga Province</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity

*M.F.*

## 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 –

### **SCULPTOR ENERGY (PTY) LTD**

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

with the following contact details –

Mr. Ernst Jordaan Burger

PO Box 36588

**MENLO PARK**

0102

Telephone Number: 082 449 7672

Cell Number: 082 449 7672

Email Address: [development@lewton.co.za](mailto:development@lewton.co.za) / [ernst@edras.co.za](mailto:ernst@edras.co.za)

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11</u></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 Rondebosch 1 Solar Park will entail the construction and operation of an on-site 33kV/132kV step-up substation, equipped with high-voltage power transformers, stepping up the voltage from 33kV to 132kV, and one 132kV busbar with metering and protection devices (switching station).</p> <p>The on-site substation is located outside urban areas or industrial complexes.</p>
<p><u>Listing Notice 1, Item 24</u></p> <p><i>“The development of a road -</i></p> <p><i>(ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters.”</i></p>	<p>Multiple internal roads will be constructed for the purpose of servicing the solar panel farms. Widths of the proposed internal roads are approximately 8m.</p> <p>During construction phase, access points and some of the internal roads will have a reserve wider than 13.5m (up to 16m) to allow the transportation of abnormal goods (e.g. power transformers, etc.). The access roads to be used during construction will be of temporary nature within the areas to be cleared for development.</p>
<p><u>Listing Notice 1, Item 28</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>The Rondebosch 1 Solar Park can be regarded as an industrial development, where the total area to be transformed (footprint) will be bigger than 1ha (footprint of 376ha). The project site is</p>

Activity number	Activity description
<i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</i>	currently being used for livestock grazing and agriculture.
<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>	<p>The proposed Rondebosch 1 Solar Park consists of the construction, operation and maintenance of a photovoltaic power plant with a maximum generation and storage capacity up to 240MW at the point of connection (Maximum Export Capacity). The proposed solar photovoltaic facility, as well as the associated on-site high-voltage substation and Battery Energy Storage System (BESS), will be located outside urban areas.</p>
<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>	<p>The construction of the Rondebosch 1 Solar Park (footprint up to 376ha) will require clearance of indigenous vegetation for an area bigger than 20ha.</p>
<p><u>Listing Notice 3, Item 12(f)(i)</u></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation,</i></p> <p><i>(f) In Mpumalanga;</i></p> <p><i>(i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.”</i></p>	<p>The proposed development will see to the clearance of approximately a footprint up to 376ha. Although the site is already heavily modified due to extensive farming activities, it is still located within the Rand Highveld Grassland that is regarded as Endangered Vegetation.</p>

As described in the Basic Assessment Report (BAR) dated March 2024 at:

**SG 21 Digit Code, Farm Names & Portions**

Affected Farm Portion	SG Code
Portion 2 (Remaining Extent) of the Farm Rondebosch 403 JS	T0JS00000000040300002
Portion 196 of the Farm Rondebosch 403 JS	T0JS00000000040300196

**Corner point co-ordinates of the project area**

Point	Coordinate Points (Degrees, Minutes, Seconds)	
	Longitude (x)	Latitude (y)
1	29° 33' 52.110" E	25° 47' 15.830" S
2	29° 33' 47.716" E	25° 47' 7.254" S
3	29° 33' 42.482" E	25° 47' 0.696" S
4	29° 33' 43.552" E	25° 46' 51.771" S
5	29° 33' 34.990" E	25° 46' 50.879" S
6	29° 33' 27.947" E	25° 46' 48.407" S
7	29° 33' 25.572" E	25° 46' 41.739" S
8	29° 33' 26.091" E	25° 46' 35.400" S
9	29° 33' 29.410" E	25° 46' 29.208" S
10	29° 33' 43.012" E	25° 46' 23.518" S
11	29° 33' 34.549" E	25° 46' 17.957" S
12	29° 34' 27.925" E	25° 46' 25.946" S
13	29° 34' 50.502" E	25° 46' 25.686" S
14	29° 34' 51.756" E	25° 46' 24.575" S
15	29° 34' 30.104" E	25° 46' 24.967" S
16	29° 33' 19.853" E	25° 46' 14.609" S
17	29° 33' 19.999" E	25° 45' 58.276" S
18	29° 33' 28.962" E	25° 45' 37.064" S
19	29° 33' 28.434" E	25° 45' 19.132" S
20	29° 33' 27.603" E	25° 45' 16.977" S
21	29° 33' 27.663" E	25° 45' 16.506" S
22	29° 33' 38.422" E	25° 45' 24.438" S
23	29° 34' 55.980" E	25° 46' 20.873" S

**Co-ordinate Points of the onsite substation complex**

Rondebosch 1 On-site Substation		
Point	Latitude	Longitude
P1	25° 46' 29.26" S	29° 34' 45.42" E

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P2	25° 46' 29.43" S	29° 34' 40.92" E
P3	25° 46' 26.59" S	29° 34' 40.79" E
P4	25° 46' 26.42" S	29° 34' 45.28" E
<b>Extent</b>	<b>ha</b>	<b>1.1</b>

**Co-ordinate points of the Battery Energy Storage System**

<b>Rondebosch 1 BESS</b>		
<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
P1	25° 46' 26.60" S	29° 34' 40.21" E
P2	25° 46' 26.79" S	29° 34' 29.96" E
P3	25° 46' 41.71" S	29° 34' 30.28" E
P4	25° 46' 29.81" S	29° 34' 44.54" E
P5	25° 46' 29.98" S	29° 34' 40.37" E
<b>Extent</b>	<b>ha</b>	<b>10</b>

**Co-ordinate points of the Access Points**

<b>Rondebosch 1 access points</b>		
<b>Point</b>	<b>Longitude</b>	<b>Latitude</b>
Access point from farm road - Northern Polygon	29° 34' 27.13" E	25° 46' 01.10" S
Access point from R104 - Southern Polygon	29° 34' 27.42" E	25° 46' 25.78" S

- for the development of the up to 240MW Rondebosch 1 Solar Park Solar Photovoltaic Facility and associated infrastructure Middelburg, within the Steve Tshwete Local Municipality in the Mpumalanga Province, hereafter referred to as "the property".

The key components of the development are as follows:

- PV modules (mono-crystalline or poly-crystalline or bi-facial modules);
- Mounting systems for the PV arrays (single-axis horizontal trackers or fixed structures) and related foundations;
- Internal cabling and string boxes;
- Medium voltage stations, hosting LV/MV power transformers;
- Medium voltage receiving stations;
- Workshops and warehouses;
- One on-site high-voltage substation with high-voltage power transformers, stepping up the voltage to 132kV, and one high-voltage busbar with metering and protection devices (switching station);
- Battery Energy Storage System (BESS), with a Maximum Export Capacity up to 240MW and a 6-hour storage capacity up to 1440MWh, with a footprint up to 10ha within the proposed PV plant footprint / fenced area, and will comprise of the following equipment:



- Up to 120 containers (each up to 40m<sup>2</sup>), each with a storage capacity of up to 5MWh and on a concrete platform. These will house the batteries, management system and auxiliaries.
- Up to 50 transformer stations (up to 35m<sup>2</sup> each).
- Up to an additional 10m<sup>2</sup> per container for cooling units.
- Internal access roads up to 8.0m wide between rows of containers.
- BESS will be connected:
  - to the PV plant by means of DC/DC inverters, and
  - to the 33kV bus-bay of the on-site step-up substation by means of kiosk transformers, medium-voltage overhead lines and/or underground cables.
- Temporary infrastructure including a site camp and a laydown area.
- Electrical system and Uninterruptible Power Supply (UPS) devices;
- Lighting system;
- Grounding system;
- Direct access from the Regional Road R104 from Middelburg to National Road N4, running parallel to the northern boundary of Portion 2 and to the southern boundary of Portion 196;
- Internal roads;
- Fencing of the site and alarm and video-surveillance system;
- Water access point, water supply pipelines, water treatment facilities;
- Patented Sewage system;
- During the construction phase, the sites may be provided with additional (to be removed at the end of construction):
  - Water access point, water supply pipelines, water treatment facilities;
  - Prefabricated buildings; and
  - Workshops and warehouses; which will all be removed at the end of construction.

Below is a table for the details or dimensions of the up to **240MW Rondebosch 1 Solar Park Solar Photovoltaic Facility** and associated infrastructure:

MAIN INFRASTRUCTURE DETAILS	
<b>Type of technology</b>	Solar Photovoltaic (SPV) Facility
<b>Structure orientation</b>	They will either be fixed, or single axis to track sun east to west through the day. The preferred mounting system for solar panels is <b>single-axis horizontal trackers (SAT)</b> , N-S oriented.
<b>Structure Height of Solar Panels</b>	Approximately 4.5m. The uppermost vertical point of the solar panel when tilted at an angle of 60 degrees could reach a height of 4.5m

<b>Area of PV Array - Anticipated surface area to be covered by SPV Facility</b>	Project footprint / fenced area is up to <b>376ha</b> . Surface area (within the project footprint) covered by PV modules, internal roads, MV stations, HV substation and BESS is up to 188ha (cover ratio up to 0.5).	
<b>Anticipated laydown area</b>	The construction camp (temporary) will be up to 10ha in extent and will correspond to the area used for the BESS.	
<b>Anticipated Battery Energy Storage System (BESS) area</b>	Area up to <b>10ha</b> .	
<b>Structure height of BESS</b>	Up to three metres ( $\pm$ 3m).	
<b>Expected capacity of the facility (MW)</b>	Maximum Export Capacity (@ the point of connection): up to <b>240MW</b> Installed capacity - DC side (PV modules): up to 375.0MWp Installed capacity - AC side (inverters): up to 300.0MW	
<b>Number of Inverters required</b>	One Medium voltage station will be equipped with DC/AC inverters that convert Direct Current (DC) into Alternate Current (AC) at a low voltage (typically 600 V). There will be 100 medium voltage stations of 3.0MW each throughout the proposed development.  PV technology is in constant and rapid evolution, this means that the final choice of the type (e.g. central inverters or string inverters) and model of inverter can be taken at the time of the commission date, on the basis of the availability of inverters of the worldwide market and of the cost-efficiency curve. In any case, the total installed capacity of the inverters (AC side) will be up to 300MWac.	
<b>Area to be occupied by inverter / transformer station / substations.</b>	There will be 100 medium voltage stations throughout the proposed development. Each will have an area of approximately 30m <sup>2</sup> . Therefore, the combined area of the medium voltage stations will be 3000m <sup>2</sup> .	
<b>Capacity on on-site substation</b>	The on-site 22kV/132kV step-up substation and 132kV switching station will host two 300MVA 22kV/132kV transformers (one as spare).	
<b>Battery Energy Storage Facility</b>	BESS with a Maximum Export Capacity up to 240MW and a 6-hour storage capacity up to 1440MWh, with a footprint up to 10ha within the proposed PV plant footprint / fenced area.	
<b>ADDITIONAL INFRASTRUCTURE DETAILS</b>		
<b>Other proposed infrastructure</b>	Area occupied by Auxiliary Buildings	Medium-voltage station occupy a footprint up to 3,000m <sup>2</sup> .  On-site substation and switching station occupy a footprint of approx. 11,250m <sup>2</sup> . This area includes the control buildings.

		<p>Workshop &amp; Warehouse occupy a footprint of approx. 300m<sup>2</sup> each. In total, 3 warehouses are foreseen: 900m<sup>2</sup> in total.</p> <p>Therefore, the total area occupied by buildings (MV stations, HV substation, Workshop &amp; Warehouse) amounts to approx. 15,150m<sup>2</sup> (1.5ha).</p> <p>The Battery Energy Storage Systems (BESS) will be located in the area where the camp site will be for the purpose of the construction phase. This area will be approximately 10ha in size.</p>
	Access point	Direct access from the Regional Road R104 from Middelburg to National Road N4, running parallel to the northern boundary of Portion 2 and to the southern boundary of Portion 196.
	Internal roads (width & length)	<p>Multiple internal roads will be constructed for the purpose of servicing the solar park. Widths of the proposed internal roads are approximately 8m. During construction phase, access points and some of the internal roads will have a reserve wider than 13.5m to allow the transportation of abnormal goods (e.g. power transformers, etc.).</p> <p>The network of internal access roads will be constructed to provide access to the solar PV modules, main control room, administration office, and various components of the facility. The length of internal roads is estimated to be 22,500m.</p>
	Height of fencing	Up to 3m for substation and for entire site.
	Type of fencing	Typical for substations / solar projects.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The development of the up to 240MW Rondebosch 1 Solar Park Solar Photovoltaic Facility and associated infrastructure near Middelburg, within Ward 10 of the Steve Tshwete Local Municipality in the Mpumalanga Province, is approved as per the geographic coordinates cited in the tables above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be 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 the commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

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

### **Commencement of the activity**

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

### **Management of the activity**

13. The project layout plan attached as Appendix C1.8 of the final BAR and labelled "*Rondebosch 1 Final Site Layout*" dated 06 March 2024 for the Rondebosch 1 Solar Park Solar Photovoltaic Facility and associated infrastructure, is approved.
14. The Environmental Management Programme (EMPr) for the Rondebosch 1 Solar Park Solar Photovoltaic Facility and associated infrastructure, submitted as part of the BAR dated March 2024 is approved and must be implemented and adhered to.
15. The Generic Environmental Management Programme (EMPr), "*for the development and expansion of substation infrastructure for the transmission and distribution of electricity*" **for the 132kV On-site Substation Hub/Complex** dated 08 March 2024 submitted as part of the BAR, is approved and must be implemented and adhered to.

16. The EMPs 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 when approved.
17. Changes to the approved EMPs must be submitted in accordance with the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPs should any impacts that were not anticipated or covered in the BAR be discovered.

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

19. The EMP 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 EMP.
20. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMP 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 EMP must have been subjected to a public participation process, which process has been agreed to by the Department, before submission of the updated EMP to the Department for approval.
22. In assessing whether to approve an EMP 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 EMP, the Department may request such amendments to the EMP as it deems appropriate to ensure that the EMP 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 EMP 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 EMP 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 EMPs.
  - 24.1. The ECO must be appointed before the 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 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.
27. The frequency of auditing and submission of the environmental audit reports must be as per the frequency indicated in the EMPs, considering the processes for such auditing as prescribed in Regulation 34 of the NEMA EIA Regulations, 2014 as amended.
28. 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.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the NEMA 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.

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. 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. No activities, which require a water use license, must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
35. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected, or endangered plant or animal species (if any) and a copy of such permit/s must be submitted to the Department for record keeping.
36. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
37. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
38. The washing of panels during maintenance must be done with biodegradable soaps to avoid soil contamination.



39. The two burial sites (RB1-BP01, RB1-BP02) that occur within proposed development area must be flagged and properly demarcated with a 30m buffer to ensure preservation and avoidance.
40. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell, and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are uncovered during construction, work in the immediate area must be halted, and the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist (depending on the nature of the finds) must be contacted as soon as possible to inspect the findings.
41. 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 stormwater run-off.
42. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, 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**

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPs must be made available for inspection and copying-
- 43.1. at the site of the authorised activity;
  - 43.2. to anyone on request; and
  - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. 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: 03/05/2024



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

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

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

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

- a) The listed activities as applied for in the amended application form received by the Department on 08 March 2024.
- b) The information contained in the final BAR dated March 2024.
- c) The comments received from interested and affected parties as included in the final BAR dated March 2024.
- d) Mitigation measures as proposed in the final BAR dated March 2024 and the EMPs.
- e) The information contained in the specialist input contained within the Appendices of the final BAR dated March 2024 and as appears below:

Title	Prepared by	Date
Ecology Impact Assessment	Exigent Engineering Consultants cc	January 2023
Aquatic Compliance Statement	The River Guy	January 2024
Freshwater Resources Compliance Statement	The River Guy	January 2024
Avifauna Impact Assessment	Scientific Terrestrial Services (Pty) Ltd	January 2024
Agricultural Compliance Statement	INDEX (Pty) Ltd	January 2024
Visual Impact Assessment	Graham A Young Landscape Architect	January 2024
Heritage Impact Assessment	CES Environmental & Social Advisory Services	January 2024
Socio-Economic Impact Assessment	Eco Thunder Consulting (Pty) Ltd	January 2024
Desktop Geotechnical Study	Geotechnical Specialist Services	January 2024
EMPr	Exigent Engineering Consultants cc	March 2024

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

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

- a) The findings of all the specialist input conducted and their recommended mitigation measures.
- b) The need for the project stems from the provision of electricity to the national grid.
- c) The final BAR dated March 2024 identified all legislation and guidelines that have been considered in the preparation of the final BAR.
- d) The location of the proposed project falls within the Emalaheni Renewable Energy Development Zone (REDZ).
- e) The methodology used in assessing the potential impacts identified in the final BAR dated March 2024 and the specialist input have been adequately indicated.
- f) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the NEMA EIA Regulations, 2014 as amended for public involvement.

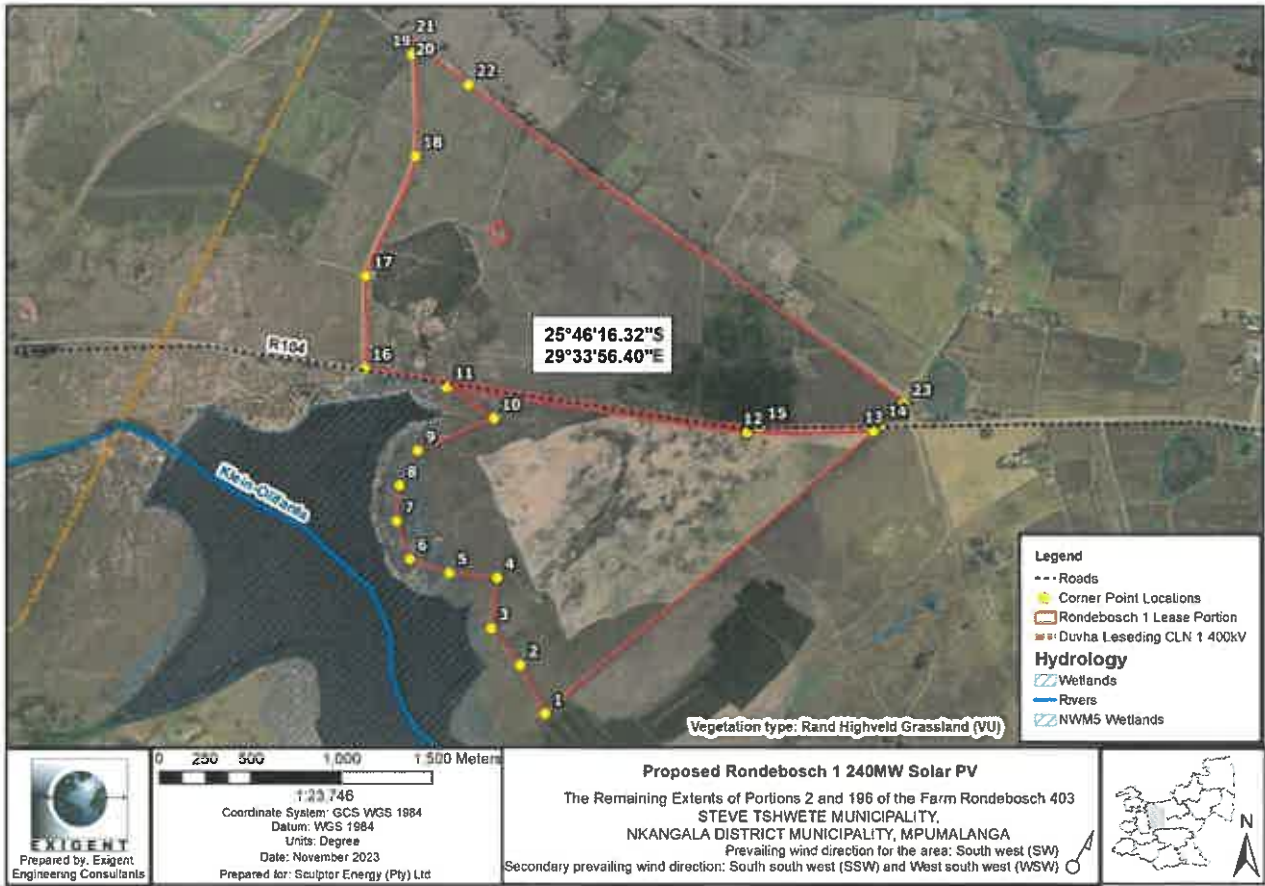
### 3. Findings

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 final BAR dated March 2024 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 final BAR dated March 2024 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 final 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 Map



*MS*

## Annexure 3: Project Layout Plan

