



forestry, fisheries & the environment

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

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

DFFE Reference: 14/12/16/3/3/2/2530

Enquiries: Ms. Mathodi Mogorosi

Telephone: (012) 399 9388 **E-mail:** MMogorosi@dff.gov.za

Mr. Alberto Gambacorta
Biesjesvlei 2 (Pty) Ltd
5 Buitengracht Street
20th Floor, Portside Building
Cape Town City Centre
CAPE TOWN
8001

Telephone Number: (021) 202 1230

Email Address: [REDACTED]

PER EMAIL / MAIL

Dear Mr Gambacorta

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE BIESJESVLEI 132KV OVERHEAD POWERLINE FROM THE ON-SITE SUBSTATION TO THE PROPOSED MAIN TRANSMISSION SUBSTATION AND ASSOCIATED INFRASTRUCTURE (i.e., BIESJESVLEI EGI 2) NEAR SMITHFIELD, WITHIN THE MOHOKARE LOCAL MUNICIPALITY IN THE FREE STATE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and 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 and the National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 05 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed.



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The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

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@dfpe.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@dfpe.gov.za.

Yours faithfully



Dr. Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 10/11/2024

cc:	Mr. Paul Lochner	Council for Scientific and Industrial Research (CSIR)	
	Ms. Grace Mkhosana	Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs	Email: mkhosana@destea.gov.za / mkoenad@destea.gov.za
	Mr. MJ Kanwendo	Mohokare Local Municipality	Email: info@mohokare.gov.za / kanwendoj@gmail.com

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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 NEMA Environmental Impact Assessment Regulations, 2014, as amended.

The development of the up to Biesjesvlei 132kV overhead powerline from the on-site substation to the proposed Main Transmission Substation and associated infrastructure (i.e., Biesjesvlei EGI 2) near Smithfield, within the Mohokare Local Municipality in the Free State Province

Xhariep District Municipality

Authorisation register number:	14/12/16/3/3/2/2530
Last amended:	First issue
Holder of authorisation:	Biesjesvlei 2 (Pty) Ltd
Location of activity:	<u>Biesjesvlei EGI 2 - Switching Station:</u> Farm Paalland 373 – Portion 0 <u>Biesjesvlei EGI Corridor, 132kV Power Line and Service Road:</u> Farm Klein Badfontein 369 – Portion 0 Farm Paalland 373 – Portion 0 Mohokare Local Municipality Xhariep District Municipality Free State 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 –

BIESJESVLEI 2 (PTY) LTD

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

with the following contact details –

Mr. Alberto Gambacorta
5 Buitengracht Street
20th Floor, Portside Building
Cape Town City Centre

CAPE TOWN

8001

Telephone Number: 021 202 1230

Email Address: [REDACTED]

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 of the NEMA 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 proposed project will entail the construction of a 132kV switching station. This will include all the high voltage infrastructure extending from the point of connection (i.e., Eskom's section of the proposed on-site substation). This section will be transferred from the IPP to Eskom at the Commercial Operational date. The switching station will include various connecting bays and yards. At a minimum, it will include a dedicated bay for the connection of the BESS facility and a dedicated bay for the connection of the PV facility.</p> <p>A dedicated overhead 132kV powerline will also be constructed to connect the proposed Solar PV Facility to the proposed Main Transmission Substation (MTS).</p> <p>The above constitutes facilities for the distribution and transmission of electricity.</p> <p>The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province.</p>
<p><u>Listing Notice 1, Item 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>The proposed project will entail the construction of various infrastructure and structures (such as, but not limited to, the switching station, 132kV</p>

Activity number	Activity description
<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>powerline, service road below the powerline, and laydown area etc.).</p> <p>The footprint of the switching station covers approximately 10 000m². These infrastructure and structures will exceed a footprint of 100m², and some occur within small drainage features, watercourses, and wetlands, and within 32m of these aquatic features, which have been delineated by the aquatic specialist.</p> <p>The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province.</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 proposed project will entail the excavation, removal and moving of more than 10m³ of soil, sand, pebbles or rock from nearby small drainage features, watercourses, and wetlands.</p> <p>The proposed project will also entail the infilling of more than 10m³ of material into the nearby aquatic features. The aquatic features have been delineated by the aquatic specialist. This will occur as a result of development of the proposed switching station, powerline and associated infrastructure, including the development of service roads and drainage line crossings.</p>
<p><u>Listing Notice 1, Item 27</u></p>	

Activity number	Activity description
<p><i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation."</i></p>	<p>The proposed switching station will have a footprint of approximately 10 000m². As a result, approximately 1ha of indigenous vegetation will be removed for the construction of the proposed switching station and associated infrastructure. According to Mucina & Rutherford (2006, as amended), the study area and proposed project falls within Aliwal North Dry Grassland (Gh2) vegetation type.</p>
<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>	<p>The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province. The land within the study area is currently being used for livestock grazing and agriculture.</p> <p>The proposed EGI, which is considered a commercial/industrial development, will have a footprint in excess of 1ha (switching station footprint of approximately 10 000m², as well as service roads). This will constitute infrastructure with a physical footprint of more than 1ha.</p>
<p><u>Listing Notice 3, Item 12(b)(iv)</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation,</i></p> <p><i>(b) In the Free State;</i></p> <p><i>(iv) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland."</i></p>	<p>The proposed switching station will have an estimated footprint of up to 1ha and will take place in the Free State. The proposed project will entail the construction of various EGI (such as the switching station, 132kV powerline, service road etc.). Where service roads cross drainage features, new culverts, bridges or crossing</p>

Activity number	Activity description
	<p>structures will also be required. Some of these infrastructure and structures will occur within small drainage features, watercourses, and wetlands, and within 100m of these aquatic features, which have been delineated by the aquatic specialist.</p> <p>As a result, more than 300m² of indigenous vegetation will be removed from these areas for the construction of the proposed EGI.</p>

As described in the Environmental Impact Assessment Report (EIAR) dated September 2024 at:

Farm portions and SG codes for the Study Area

Farm Portion	SG Code
Farm Benoni 534	F03100000000053400000
Remaining Extent of Farm Biesjespoort 521	F03100000000052100000
Farm Biesjesvlei 372	F03100000000037200000
Farm Klein Badfontein 369	F03100000000036900000
Farm Modderkuil 396	F03100000000039600000
Farm Paalland 373	F03100000000037300000
Remaining Extent of Farm Pompoenfontein 118	F03100000000011800000
Portion 1 of Farm Pompoenfontein 118	F03100000000011800001
Farm Ronde Bult 408	F03100000000040800000
Farm Salpetervlei 756	F03100000000075600000
Portion 1 of Farm Schoemanskraal 34	F0310000000003400001

Affected Farm Properties for the Biesjesvlei EGI 2 and associated infrastructure (Project 8):

Farm Portion	21-digit Surveyor General code
132 kV Overhead Power Line, EGI Corridor and Service Road below the 132 kV Overhead Power Line	
Farm Klein Badfontein 369	F03100000000036900000
Farm Paalland 373	F03100000000037300000
Eskom's Section of the On-Site Substation (Switching Station)	
Farm Paalland 373	F03100000000037300000

Co-ordinates for the Biesjesvlei EGI 2 and associated infrastructure (Project 8):

Co-ordinate Point	Decimal Degrees		Degrees, Minutes, Seconds	
	Latitude (Y)	Longitude (X)	Latitude (S)	Longitude (E)
132 kV Overhead Power Line and Service Road below the 132 kV Overhead Power Line				
Start-Point	-30.11659457	26.37022349	30° 06' 59.74045200" S	26° 22' 12.80454600" E
Mid-Point	-30.11228008	26.37194994	30° 06' 44.20829264" S	26° 22' 19.01979341" E
End-Point	-30.10795113	26.37647266	30° 06' 28.62405720" S	26° 22' 35.30156880" E
Eskom's Section of the On-Site Substation (Switching Station)				
Corner Point 1	-30.11632176	26.3686682	30° 06' 58.75833733" S	26° 22' 07.20550808" E
Corner Point 2	-30.11632925	26.37022517	30° 06' 58.78531799" S	26° 22' 12.81060340" E
Corner Point 3	-30.11767743	26.37021662	30° 07' 03.63873360" S	26° 22' 12.77981400" E
Corner Point 4	-30.11766995	26.36865962	30° 07' 03.61182359" S	26° 22' 07.17463802" E

- for the development of the Biesjesvlei 132kV overhead powerline from the on-site substation to the proposed Main Transmission Substation and associated infrastructure (i.e., Biesjesvlei EGI 2) Smithfield, within the Mhokare Local Municipality in the Free State Province, hereafter referred to as "the property".

The key components of the development are as follows:

- Switching station, which will be transferred from the IPP to Eskom following construction;
- 132kV overhead powerline from the proposed on-site substation to the MTS;
- Service road below the powerline;
- Storm water channels; and
- Laydown area.

Below is a table of the description of the components for the **Biesjesvlei EGI 2 and Associated Infrastructure (Project 8)**:

Component	Description
On-site substation and/or switching station. This will include the section that will be transferred from the Independent Power Producer (IPP) to Eskom.	<ul style="list-style-type: none"> ▪ Footprint: Up to 10 000m² ▪ Height: Up to 15m ▪ Capacity: 132kV ▪ The section includes all the high voltage infrastructure extending from the Point of Connection (i.e. Eskom's section of the proposed

Component	Description
132 kV Overhead Power Line	<p>on-site substation, which is also referred to as the Switching Station).</p> <ul style="list-style-type: none"> ▪ The power line will be routed from the on-site substation to the proposed MTS. ▪ <u>Height</u>: Up to 37m ▪ <u>Length</u>: Up to 2km ▪ <u>Servitude</u>: 40m wide ▪ <u>Pylon specifications</u>: <ul style="list-style-type: none"> ○ <u>Type</u>: Lattice structures or monopoles. ○ <u>Tower</u>: Self-supporting and Angle Strain. ○ <u>Foundation</u>: The size of the footprint area for the base of the tower foundation will range from 0.36m² to 2.25m². The minimum working area required around a structure position is 20m x 20m. ○ <u>Span Length</u>: 200m – 300m
Service Road	<ul style="list-style-type: none"> ▪ <u>Details</u>: A new gravel service road will need to be established below the power line. ▪ <u>Width</u>: Up to 4m
External Access Roads	<ul style="list-style-type: none"> ▪ Note that the Biesjesvlei EGI 2 project will be developed after the PV or BESS projects have commenced (should relevant approvals be granted), and as such will make use of access roads developed for the PV or BESS projects.
Storm water channels	<ul style="list-style-type: none"> ▪ Details to be confirmed once the Engineering, Procurement and Construction (EPC) contractor has been selected and the design is finalised.

Component	Description
	Where necessary, a detailed storm water management plan would need to be developed.
Work area during the construction phase (i.e. laydown area)	<ul style="list-style-type: none">▪ Footprint: 0.5ha to 1ha
Water Requirements	<ul style="list-style-type: none">▪ Approximately 100m³ of water is estimated to be required per year for the construction phase.▪ Water requirements during the decommissioning phase are expected to be the same as the construction phase.▪ Potential sources: Existing boreholes on site or from the Local Municipality via trucks.
Construction Period	<ul style="list-style-type: none">▪ 6 - 24 months



Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the Biesjesvlei 132kV overhead powerline from the on-site substation to the proposed Main Transmission Substation and associated infrastructure (i.e., Biesjesvlei EGI 2) Smithfield, within Ward 41603006 of the Mohokare Local Municipality in the Free State 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. The continuation of any such activities after the lapsing of the above-mentioned period may trigger one or more listed and/or specified activities, including activity 32 of LN1. Such continuation without the required environmental authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of NEMA.

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 combined project layout plan attached as Figure D in Appendix D of the final EIA and labelled "*Final Layout Map for the proposed Biesjesvlei Solar PV Facility 2; Biesjesvlei BESS 2; and Biesjesvlei EGI 2 (including the Biesjesvlei MTS and LILO for context), near Smithfield in the Free State*" for the Biesjesvlei 132kV overhead powerline from the on-site substation to the proposed Main Transmission Substation (MTS) and associated infrastructure i.e., Biesjesvlei EGI 2) which forms part of the "*Biesjesvlei PV Facilities, BESS and EGI Cluster,*" is approved.
14. The Generic Environmental Management Programme (EMPr), "*for the development and expansion of substation infrastructure for the transmission and distribution of electricity*" **for the up to 132kV Switching**
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Station, specifically Part C: Site Specific Environmental Attributes, dated 10 September 2024 submitted as part of the final EIA, is approved and must be implemented and adhered to.

15. The Generic Environmental Management Programme (EMPr), "*for the development and expansion for overhead electricity transmission and distribution infrastructure*" **for the up to 132kV overhead powerline and associated electrical grid infrastructure**, specifically Part C: Site Specific Environmental Attributes, dated 10 September 2024 submitted as part of the EIA, is approved and must be implemented and adhered to.
16. The EMPrs 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 EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPrs should any impacts that were not anticipated or covered in the EIA be discovered.

Frequency and process of updating the EMPr

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, before submission of the updated EMPr to the Department for approval.
22. In assessing whether to approve an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
23. The holder of the authorisation must apply for an amendment of an EMPr if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations,

2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the 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. Install Eskom-approved bird flight diverters (flappers or coils) on new above-ground transmission lines and on any new guidewires used to anchor infrastructure such as pylons, and/or new monopoles developed for the Biesjesvlei projects.
39. The design of new overhead power lines developed for the Biesjesvlei projects must take into account the potential for electrocution by large species and pre-emptively avoid the likelihood of this by increasing distances between spans to avoid faecal "streamers" or large open wings creating a short.
40. In order to reduce avian mortalities related to bird collisions or nests, perch guards should be installed on all new power line infrastructure developed for the Biesjesvlei projects (such as poles and platforms).
41. Breeding sites of any avian species as identified by an avifaunal specialist within the disturbance footprint must be kept intact and disturbance to breeding birds must be avoided.
42. Should species of conservation concern (SCC) be found breeding within the disturbance footprint prior to or during construction, ensure that all work within 1km of the breeding site is halted and an avifaunal specialist must be contacted for further instruction.
43. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, unmarked human burials, fossils or other categories of heritage resources are uncovered during construction, work in the immediate area must be halted, and heritage authorities 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.
44. 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.
45. 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

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

- 46.1. at the site of the authorised activity;
 - 46.2. to anyone on request; and
 - 46.3. Where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
47. 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: 10/11/2024



Dr 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 12 September 2024.
- b) The information contained in the final EIAr dated September 2024.
- c) The comments received from interested and affected parties as included in the final EIAr dated September 2024.
- d) Mitigation measures as proposed in the final EIAr dated September 2024 and the EMPs.
- e) The information contained in the specialist inputs contained within the Appendices of the final EIAr dated September 2024.
- f) The findings of the site visit undertaken on 07 November 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 inputs 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 EIA, dated September 2024, identified all legislation and guidelines that were considered in its preparation.
- d) The location of the proposed 132kV overhead powerline from the on-site substation to the proposed Main Transmission Substation (MTS) (i.e., Biesjesvlei EGI 2) and associated infrastructure which forms part of the "*Biesjesvlei PV Facilities, BESS and EGI Cluster.*"
- e) The methodology used in assessing the potential impacts identified in the final EIAr dated September 2024 and the specialist inputs 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.

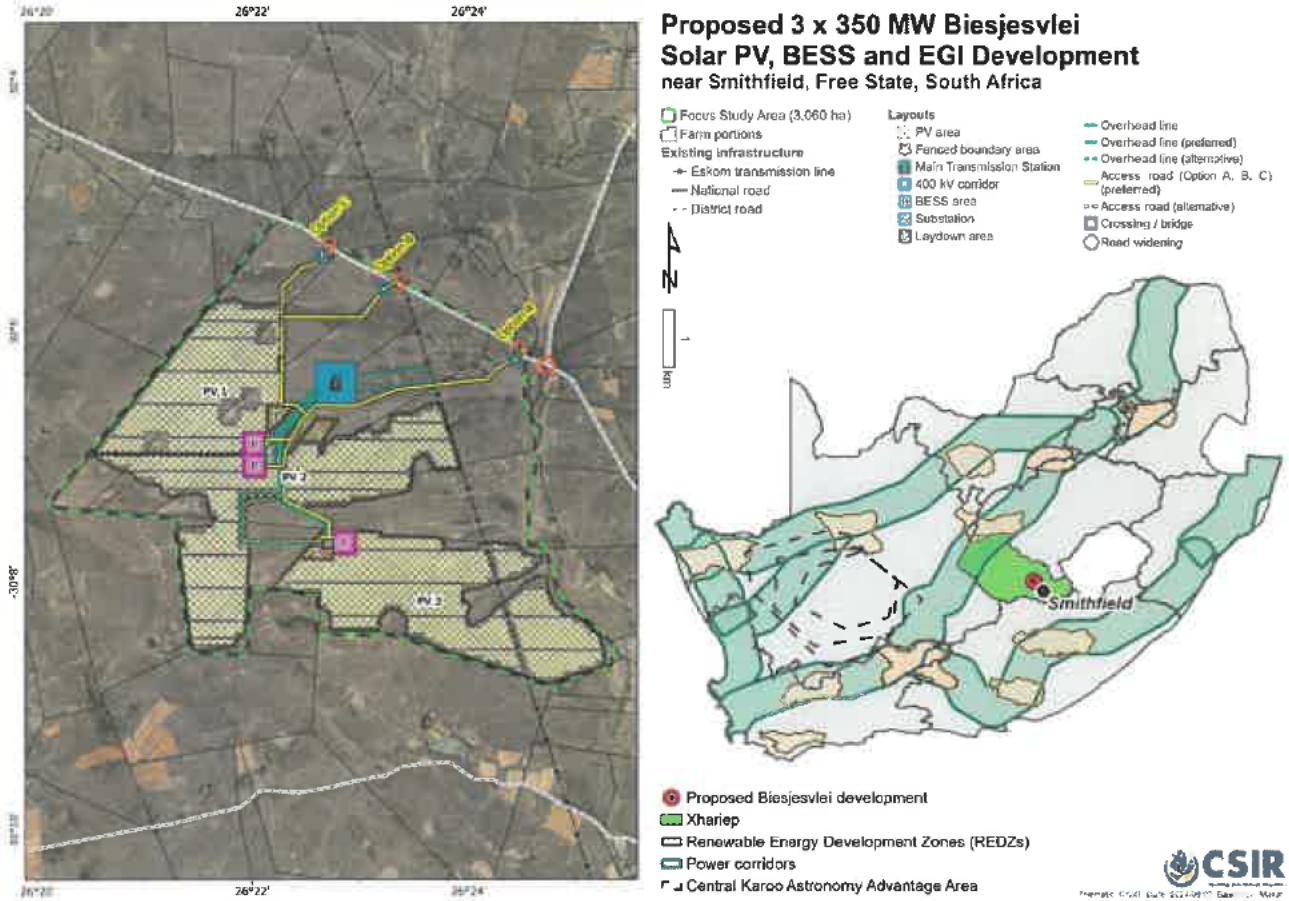
3. Findings

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 EIAr dated September 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 in the final EIAr dated September 2024 is deemed 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 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.**

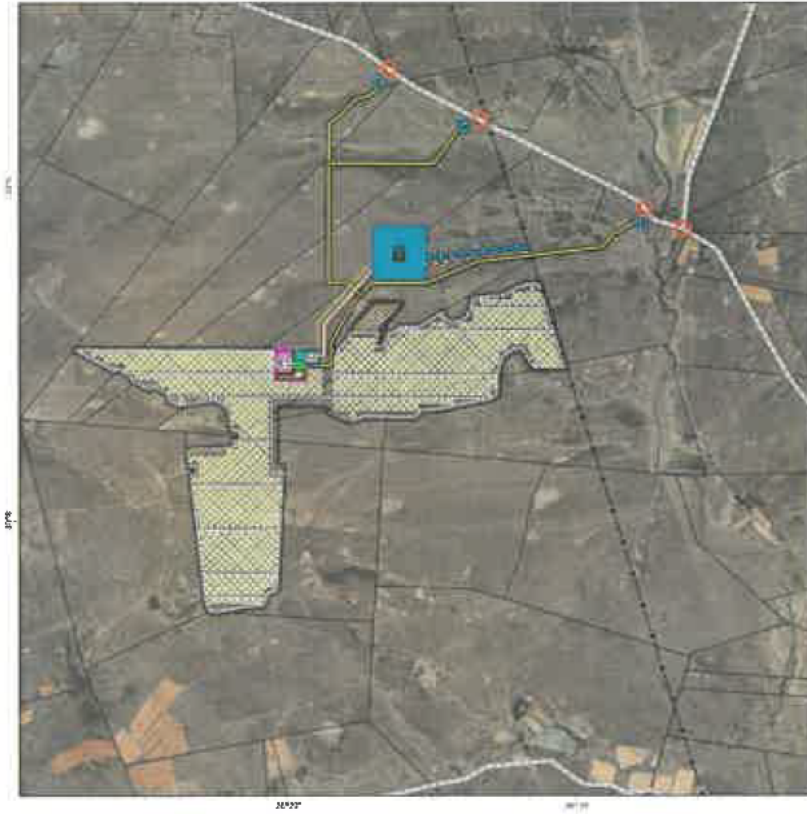
Annexure 2: Locality Map



M/S

Annexure 3: Project Layout Plan

Biesjesvlei Solar PV 2, BESS 2 and EGI 2
 near Smithfield, Free State, South Africa



- PV facility**
 - PV area
 - Laydown area
 - Fenced boundary area
 - Substation (IPP substation and switching station)
 - Internal and perimeter roads (up to 4 m wide)
 - Access road (Option A, B, C) (4-8 m wide)
 - Widening of existing road required
 - Crossing / bridge (e.g. concrete slabs, gabion mattresses)
- BESS Infrastructure**
 - BESS area
 - BESS IPP substation
 - Laydown area
 - O&M building
 - BESS fencing
- MTS Infrastructure**
 - Main Transmission Station
 - 400 kV corridor
 - Pylon
 - 400 kV overhead line
 - Service road
- EGI Infrastructure**
 - Substation (IFP substation and switching station)
 - Overhead line
 - Service road
 - EGI corridor
- Existing Infrastructure**
 - Eskom transmission line
 - National road
 - District road



30% Approved 1 - 358 MW Biesjesvlei Solar PV BESS and EGI Development
 100% Favour Study Area (2 967 ha)