



forestry, fisheries & the environment

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

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/2/2328

Enquiries: Mr Coenrad Agenbach

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Ms Mercia Grimbeek
Lesaka 2 Solar Energy Facility (Pty) Ltd
Suite 104 Albion Springs, 183 Main Road
RONDEBOSCH
7700

Tel number: (021) 207 2181

Email Address: mercia.grimbeek@enertrag.com; Michael.barnes@enertrag.com

PER E-MAIL

Dear Ms Grimbeek

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE 240MW LESAKA 2 SOLAR ENERGY FACILITY (SEF) AND ITS ASSOCIATED INFRASTRUCTURE NORTH OF THE TOWN OF LOERIESFONTEIN WITHIN THE HANTAM LOCAL MUNICIPALITY IN THE NORTHERN 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 Department's decision as well as the provisions regarding the submission of appeals that are contained in the EIA Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (Act No. 4 of 2013) which stipulates 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 abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (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 twenty (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: appealsdirector@dfpe.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

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

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 03/11/2023

cc:	Ms. Michelle Guy	SiVEST SA (Pty) Ltd	Email: michelleg@sivest.co.za
	Ms. Dineo Moleko	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform	Email: dmoleko@cnp.gov.za
	Mr. Riaan Van Wyk	Hantam Local Municipality	Email: vanwyk@hantam.gov.za





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 240MW LESAKA 2 SOLAR ENERGY FACILITY (SEF) AND ITS ASSOCIATED INFRASTRUCTURE
NORTH OF THE TOWN OF LOERIESFONTEIN WITHIN THE HANTAM LOCAL MUNICIPALITY IN THE
NORTHERN CAPE PROVINCE**

NAMAKWA DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2328
Last amended:	First issue
Holder of authorisation:	Lesaka 2 Solar Energy Facility (Pty) Ltd
Location of activity:	Portion 0 of the Farm Kluitjes Kraal No. 264; Hantam Local Municipality; Namakwa District Municipality; Northern 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.

MS

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 NEMA 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 NEMA EIA Regulations, 2014, as amended, the Department hereby authorises –

LESAKA 2 SOLAR ENERGY FACILITY (PTY) LTD

with the following contact details –

Ms Mercia Grimbeek

Lesaka 2 Solar Energy Facility (Pty) Ltd

Suite 104 Albion Springs, 183 Main Road

RONDEBOSCH

7700

Telephone number: (021) 207 2181

Email Address: mercia.grimbeek@enertrag.com; Michael.barnes@enertrag.com

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notices 1, 2 and 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) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.”</i></p>	<p>New on-site substations/collector switching stations will be constructed as part of the proposed development. The substation/collector switching stations will be located outside urban areas and will have capacities of 33/132kV respectively. The substations will be connected via overhead lines.</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; 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>Drainage lines and watercourses are scattered across the proposed site. One or more roads and/or powerlines will cross these watercourses or drainage lines or be within 32m thereof.</p> <p>The developments will therefore entail the construction of infrastructure with physical footprints of approximately 100m² or more within a surface water feature/watercourse or within 32m of a surface water feature/watercourse.</p>
<p><u>Listing Notice 1, Item 14:</u></p> <p><i>“The development of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.”</i></p>	<p>Dangerous goods” that are likely to be associated with the project include fuel stored during the construction phase and/or hazardous chemical substances at the substation during the operational phase. Threshold of 80m³ expected to be exceeded.</p> <p>The facility will require storage and handling of dangerous goods, including fuel, cement and chemical storage onsite, that will be greater than 80m³ but not exceeding 500m³. The following</p>

Activity number	Activity description
	<p>estimated maximum capacities of dangerous good will be stored on site:</p> <ul style="list-style-type: none"> - Concrete Batching: ~125m³ - Fuel stores (Petrol and/or Diesel): ~250m³ - Paint, grease, transformer oils, construction chemicals, lubricants: ~100m³.
<p><u>Listing Notice 1, Item 19:</u> <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 development will involve the excavation, removal, infilling or depositing of any material of more than 10m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m³ from some of the identified surface water features/watercourses. Although the layout of the developments has been designed to avoid the identified surface water features/watercourses as far as possible, some of the internal access roads and/or medium voltage cabling will need to traverse the identified surface water features/watercourses. In addition, during construction of these roads, soil will need to be removed from some of the identified surface water features/watercourses.</p>
<p><u>Listing Notice 1, Item 24(ii):</u> <i>"The development of a road, (ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters."</i></p>	<p>Internal access roads will be required to access the PV panels and substations. The roads to be placed within a corridor of up to 20m width to accommodate cable tranches, stormwater channels (as required), and turning circle/bypass areas of up to 20m in some sections. Existing roads will be used wherever possible, although new roads will be constructed where necessary.</p>

Activity number	Activity description
<p><u>Listing Notice 1, Item 28 (ii):</u> <i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 1998 and where such development, (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</i></p>	<p>The total area to be developed for the renewable energy facilities is greater than 1ha and occurs outside an urban area in an area currently zoned as agriculture land.</p>
<p><u>Listing Notice 1, Item 48 (i)(a)(c):</u> <i>“The expansion of- (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; where such expansion occurs— (a) within a watercourse; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;”</i></p>	<p>The developments will entail the expansion (upgrading) of roads and other infrastructure by 100m² or more within a surface water feature/watercourse or within 32m from the edge of a surface water feature/watercourse.</p> <p>Although the layouts of the development will be designed to avoid the identified surface water features/watercourses as far as possible, some of the internal and access roads to be upgraded will need to traverse the identified surface water features/watercourses and construction will occur within some of the surface water features/watercourses and/or be within 32m of some of the surface water features/watercourses.</p>
<p><u>Listing Notice 1, Item 56 (ii):</u> <i>“The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre – (ii) where no reserve exists, where the existing road is wider than 8 metres –</i></p>	<p>Internal access roads will be required to access the PV panels and the substation. Existing roads will be used wherever possible, although new roads will be constructed where necessary. The existing access roads will need to be upgraded by widening them more than 6m, or by lengthening them by more than 1km.</p>

Activity number	Activity description
<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 development will entail the construction of a SEF where the respective electricity output will be up to 240MW. In addition, the SEF development 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 SEF development will involve the clearance of more than 20ha of indigenous vegetation. Clearance will also be required for the substations, internal access roads and other associated infrastructure.</p>
<p><u>Listing Notice 3, Item 4(g)(ii)(ee):</u></p> <p><i>“The development of a road wider than 4m with a reserve less than 13.5 metres.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside Urban Areas:</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.”</i></p>	<p>The development of the SEF facility and associated infrastructure will require the development of roads wider than 4m with a reserve of less than 13.5m within a CBA 1 and CBA 2 area. These roads will occur within the Northern Cape Province, outside urban areas.</p>
<p><u>Listing Notice 3, Item 12(g)(ii):</u></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><i>g. Northern Cape</i></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans.”</i></p>	<p>The development will entail the construction of infrastructure with physical footprints of approximately 300m² or more within areas identified as CBA 1 and CBA 2 area. As such, approximately 300m² or more of indigenous vegetation will likely be cleared as part of the respective proposed developments.</p>
<p><u>Listing Notice 3, Item 14(ii)(a)(c)(g)(ii)(ff):</u></p> <p><i>“The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i></p> <p><i>(a) within a watercourse; or</i></p>	<p>The development will entail the development of infrastructure with physical footprints of 10m² or more within a watercourse/surface water feature or within 32m from the edge of a watercourse/surface water feature.</p>

Activity number	Activity description
<p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>g. Northern Cape</p> <p>ii. 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>The construction of the infrastructure for the development will occur within CBA Areas 1 and 2 and Ecosystem Support Areas.</p>
<p><u>Listing Notice 3, Item 18(g)(ii)(ee)(ii):</u></p> <p>"The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometer</p> <p>g. Northern Cape</p> <p>ii. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ii) Areas within a watercourse or wetland; or within 100m from the edge of a watercourse or wetland."</p>	<p>Internal access roads will be required to access the solar panels as well as the substation. Existing roads will be used wherever possible. Internal access roads will thus be widened by more than 4m or lengthened by more than 1km. These roads will occur within the Northern Cape Province, outside urban areas. The widening of the roads will occur within a CBA 1 and 2 area as well as a watercourse or wetland or within 100m from the edge of a watercourse or wetland.</p>
<p><u>Listing Notice 3, Item 23(ii)(a)(c)(g)(ii)(ee):</u></p> <p>"The expansion of—</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion 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; excluding the expansion of infrastructure or structures within existing ports or</p>	<p>The development will entail the development and expansion of roads and other infrastructure by 10m² or more within a watercourse or within 32m from the edge of a watercourse. The expansion of the infrastructure will occur within the Northern Cape Province, outside urban areas, within a CBA 1 and 2 area. Although the layout of the development will be designed to avoid the identified surface water features as far as possible, some of the existing</p>

Activity number	Activity description
<p><i>harbours that will not increase the development footprint of the port or harbour.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;”</i></p>	<p>internal and access roads will need to traverse some of the identified surface water features.</p>

as described in the final EIA dated September 2023:

The key components/infrastructure for the 240MW Lesaka 2 SEF will include the following:

- Buildable area of PV approximately 585ha for Solar Module Technology – Monocrystalline or Polycrystalline cell type (Monofacial and/or Bifacial Photovoltaic (PV) Modules) with fixed, single or dual axis tracking mounting structures with an export capacity of up to 240MW.
- Low and medium voltage cabling will link the PV facility to the facility substation/grid connection infrastructure.
- Access road/s to the site and internal roads between project components of up to 5m and 6m, this can increase to 8m on bends. The roads to be placed with a corridor of up to 20m width, and turning circle/bypass areas of up to 20m in some sections.
- Operation and Maintenance (O&M) building: Operations building (20m x 10m = 200m²), Workshop (15m x 10m = 150m²), and Stores (5m x 10m = 150m²).
- Construction camp laydown area approximately 0.5ha in size.
- Temporary laydown/staging area during construction phase approximately 2.2ha in size.
- Battery Energy Storage System (BESS) will be up to 120MW/480MWh with up to four hours of storage with an approximate footprint of 4ha.
- Associated infrastructure such as fencing and lighting, lightning protection system (LPS), telecommunication infrastructure, batching plant (if required), security infrastructure, access and internal roads, stormwater infrastructure and water pipelines (as needed).
- One new 33/132kV on-site IPP substation (facility substation) and Switching Station utilised with a combined footprint of approximately 1ha.
- Substation infrastructure includes: office area, operation and control room, workshop and storage area, oil dam, including standard substation electrical equipment (feeder bays, transformers, busbars, stringer strain beams, insulators, isolators, conductors, circuit breakers, lightning arrestors, relays, capacitor banks,

batteries, wave/line trappers, switchyard, metering and indication instruments, equipment for carrier current, surge protection and outgoing feeders, as may be needed).

GPS Co-ordinates of the facility:

Infrastructure	Latitude	Longitude
Application site: Co-ordinates at corner points		
1	30° 37' 25.62"S	19° 26' 24.42"E
2	30° 37' 29.99"S	19° 27' 47.56"E
3	30° 38' 01.46"S	19° 27' 43.91"E
4	30° 38' 02.13"S	19° 28' 26.10"E
5	30° 38' 15.84"S	19° 28' 27.10"E
6	30° 38' 33.15"S	19° 28' 10.67"E
7	30° 38' 32.55"S	19° 29' 46.11"E
8	30° 40' 59.41"S	19° 28' 22.68"E
9	30° 39' 49.77"S	19° 26' 39.61"E
10	30° 39' 39.73"S	19° 26' 46.29"E
Application site: Co-ordinates at centre points		
	30° 39' 09.13"S	19° 27' 49.21"E
Onsite Substation; O&M Building and BESS: Co-ordinates at corner points		
1	30° 37' 43.90"S	19° 27' 04.31"E
2	30° 37' 47.19"S	19° 27' 14.95"E
3	30° 37' 53.72"S	19° 27' 12.26"E
4	30° 37' 50.44"S	19° 27' 01.61"E
Temporary laydown area: Co-ordinates at corner points		
1	30° 37' 50.45"S	19° 27' 01.59"E
2	30° 37' 53.73"S	19° 27' 12.25"E
3	30° 38' 00.27"S	19° 27' 09.54"E
4	30° 37' 56.98"S	19° 26' 58.90"E

Farm portion and SG code

Farm portion	SG code
Portion 0 of the Farm Kluitjes Kraal No. 264	C01500000000026400000

Technical details for the facility

Infrastructure	Footprint and Dimensions
Development Area	Approx. 585ha. The PV structures will occupy the majority of the area, with supporting infrastructure such as internal roads, auxiliary buildings and an onsite substation occupying the remaining extent.
Proposed technology	Solar Module Technology – Monocrystalline or Polycrystalline cell type. Monofacial and/or Bifacial Photovoltaic (PV) Modules. Mounting System Technology – Single-axis tracking, Dual-axis tracking, or Fixed axis tracking. Overhead or underground LV and MV cabling. Centralised inverter stations or string inverters. Power Transformers.
Generating Capacity and panel heights	Up to 240MW and 5m in height
Substation area	6.5ha
Battery Energy Storage Area	The associated BESS storage capacity will be up to 120MW/480MWh with up to four hours of storage. It is proposed that Lithium Battery Technologies, such as Lithium Iron Phosphate, Lithium Nickel Manganese Cobalt oxides or Vanadium Redox flow technologies will be considered as the preferred battery technology however the specific technology will only be determined following Engineering, Procurement, and Construction (EPC) procurement. The main components of the BESS include the batteries, power conversion system, and transformer which will all be stored in various rows of containers. The BESS components will arrive on site preassembled. The approximate footprint for the BESS is 4ha.
Capacity of on-site substation	33/132kV
Operations and Maintenance (O&M) building footprint:	Located near the onsite IPP SS and/or BESS. Septic/Conservancy tanks with portable toilets Typical areas include: - Operations building – 20m x 10m = 200m ² - Workshop – 15m x 10m = 150m ² - Stores – 5m x 10m = 150m ²
Area occupied by both construction camp and temporary laydown areas	Typical area 100m x 50m = 5 000m ² (0.5ha) Typical area 220m x 100m = 22 000m ² (2.2ha)
Internal roads	Access road/s to the site and internal roads between project components of up to 5m and 6m, this can increase to 8m on bends. The roads to be placed with a corridor of up to 20m width to accommodate cable trenches, stormwater channels

Infrastructure	Footprint and Dimensions
	(as required, and turning circle/bypass areas of up to 20m in some sections. Existing roads will be upgraded wherever needed, and new roads will be constructed where necessary
Site Access	Access to the development area can be obtained via the AP2972, which is approximately 7 km east of the proposed development area
Proximity to grid connection	On site via a Loop-In-Loop-Out connection to the existing 400kV line.
Associated infrastructure	- Fencing and lighting (fences will run adjacent to the solar buildable areas and outside all no-go areas). - Lightning Protection System (LPS). - Telecommunication infrastructure. - Batching plant (if required). - Security infrastructure. - Access and internal roads. - Stormwater infrastructure (as needed). - Water pipelines (as needed).

-for the development of the 240MW Lesaka 2 Solar Energy Facility on Portion 0 of the Farm Kluitjes Kraal No. 264 north of the town of Loeriesfontein within the Hantam Local Municipality in the Namakwa District Municipality of the Northern Cape Province, hereafter referred to as “the property”.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the 240MW Lesaka 2 Solar Energy Facility on Portion 0 of the Farm Kluitjes Kraal No. 264 north of the town of Loeriesfontein within the Hantam Local Municipality in the Namakwa District Municipality of the Northern Cape Province, is hereby 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 (5) 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 site layout map attached as Appendix 3_A3_17793_Lesaka 2_Sensitivity LayoutEIAPhase with Grid of the final EIAR dated September 2023 is hereby approved.
14. The Environmental Management Programme (EMPr) submitted as part of the final EIAR dated September 2023 Appendix 9 (Lesaka_2_SEF_EMPr_rev1.0_08092023_Final.pdf) is approved and must be implemented and adhered to.
15. Part C of the generic Environmental Management Programme (EMPr) for the substation, submitted as part of the final EIAR dated September 2023 (Appendix 9(Lesaka_2_SEF_Generic_Substation_Final_EMPr_rev1.0_01092023_Final.pdf), is approved and must be implemented and adhered to.
16. The EMPrs (for the PV facility and the generic EMPrs for the substation) must be implemented and strictly enforced during all phases of the project. They shall be seen as dynamic documents and shall be included in all contract documentation for all phases of the development.
17. Changes to the approved EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPrs, should any impacts that were not anticipated or covered in the EIAR be discovered.

Frequency and process of updating the EMPr

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must



have been subjected to a public participation process, which process has been agreed to by the Department 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 EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

24. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this Environmental Authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 24.1. The ECO must be appointed before 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 a record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
 - 24.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

25. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.

26. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
27. The frequency of auditing and submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
28. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
30. Records relating to monitoring and auditing must be kept on-site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

31. A written notification of commencement must be given to the Department no later than fourteen (14) days before the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

32. A written notification of operation must be given to the Department no later than fourteen (14) days before 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-go Area: includes the extent of the delineated boundaries of the episodic rivers and drainage lines with riparian vegetation, and development setback buffers (as determined by the buffer tool) of 15m for the episodic drainage lines with riparian vegetation (for all non-linear infrastructure) and 25m for episodic rivers with riparian vegetation (for all infrastructure). Roads and associated river crossings must only be planned within these areas if it is absolutely unavoidable to circumnavigate these freshwater ecosystems.
35. High Sensitivity Area: the 32m regulated area of a freshwater ecosystem as stipulated by NEMA applicable to the freshwater ecosystems. No surface infrastructure components (solar PV arrays, substation, BESS and construction camp) must be placed in these areas.
36. Moderate Sensitivity Area: includes the 100m GN 509 regulated area of the freshwater ecosystems. Development within these areas could take place but should be avoided, if possible, to avoid triggering Section 21 (c) and (i) water uses as it relates to the NWA.
37. Walk down of the approved site prior to construction activities must be undertaken in the relevant season to record all provincially protected species that will be impacted on by the development.
38. The removal of indigenous plants must be kept to a minimum necessary. Trim, rather than fell of woody species along the edges of the development site where possible. The clearing and damage of plant growth in the riparian and wetland areas must be restricted to the actual road crossing where possible, and not into the sensitive adjacent areas.
39. A permit must be obtained from authorities before any protected plants (including geophytes) are eradicated, cleared or pruned. These plants must form part of a rescue and relocation programme should the development activities impact on populations.
40. Eskom-approved; bird friendly devices must be attached to the powerlines to avoid bird collisions.
41. Mitigation measures detailed within the EIA Report, specialist assessments and technical studies must be implemented.
42. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.
43. 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

44. The recommendations of the EAP in the in the final EIAr dated September 2023 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
45. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr must be made available for inspection and copying-
- 45.1. at the site of the authorised activity;
 - 45.2. to anyone on request; and
 - 45.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible websites.
46. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of the authorisation.

Date of Environmental Authorisation: 03/11/2023



Mr Sabelo Malaza

Chief Director, Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the amended application form received on 10 March 2023.
- b) The information contained in the final EIAr dated September 2023.
- c) The comments received from Interested and Affected Parties as included in the final EIAr dated September 2023.
- d) Mitigation measures as proposed in the final EIAr and the EMPs.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr dated September 2023 and as appears below:

Name	Company	Date
Terrestrial Biodiversity including Sensitive Plant Species	Enviro-Insight CC	August 2023
Avifauna EIA Report for the proposed Lesaka 2 Solar Energy Facility near Loeriesfontein, Northern Cape Province, South Africa	Enviro-Insight CC	July 2023
Freshwater Assessment for the proposed 240 MW Lesaka 2 Solar Energy Facility, near Loeriesfontein, Hantam Municipality, Northern Cape	FEN Consulting	August 2023
Updated Heritage Impact Assessment in terms of Section 38(8) of the NHRA for the proposed Lesaka 2 Solar Energy Facility Near Loeriesfontein, Northern Cape Prepared	CTS Heritage	June 2023
Geotechnical Impact Assessment	GeGE Consulting (Pty) Ltd	August 2023
Visual Impact Assessment	SRK Consulting	August 2023
Hydrology impact Assessment	Highlands Hydrology (Pty) Ltd	August 2023
Transport Study	SiVEST	August 2023
Social Impact Assessment	Tony Barbour	August 2023

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The final EIAr dated September 2023 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated September 2023 and the specialist studies have been adequately indicated.
- e) 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 final EIAr dated September 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated September 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 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.



M.S