



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Enq: Ms Kubaye TA

Tel: 015 293 8830

E-mail: KubayeTA@ledet.gov.za

Ref: 12/1/9/2-GS88

TFC Solar (Pty) Ltd
PostNet Suite 803
Private Bag X9
BENMORE
2010

For attention: Mr Willen den Heijer **Tel Number:** 083 256 9640 **Email:** willen.denheijer@samancorcr.com

ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED 40MW PHOTOVOLTAIC PLANT AND 33KV POWERLINE ACROSS SITES 2B, 3B, 3C, 4B AND 5B ASSOCIATED WITH THE TUBATSE FERROCHROME PLANT ON PORTIONS 0, 1, 6 AND 10 OF THE FARM GOUDMYN 337 KT WITHIN FETAKGOMO-TUBATSE LOCAL MUNICIPALITY OF SEKHUKHUNE DISTRICT

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations of 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of the Department's decision in respect of your application as well as the provisions regarding the lodgement of appeals as provided for in the National Appeals Regulations of 2014.

Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge an appeal with MEC for Economic Development, Environment and Tourism (LEDET), within 20 calendar days of date when this letter was sent to you, by means of prescribed forms obtainable from LEDET, using one of the following methods:

By post : Private Bag X9484, **POLOKWANE**, 0700

By hand : Evridiki Towers, 20 Hans Van Rensburg Street/ 19 Biccard Street, **POLOKWANE**, 0699

Should you decide to appeal, you must serve a copy of your appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully


CHIEF DIRECTOR
INTEGRATED ENVIRONMENTAL MANAGEMENT

DATE: 07/08/2024



Cc: Royal HaskoningDHV

Att: Ms Prashika Reddy

E-mail: prashika.reddy@rhdhv.com

HEAD OFFICE

Evridiki Towers, 20 Hans van Rensburg Street, Polokwane, 0700, Private Bag X9484, Polokwane, 0700
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DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM
ENVIRONMENTAL AUTHORISATION

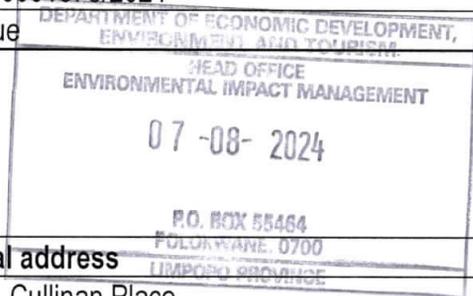
PROJECT DESCRIPTION: PROPOSED 40MW PHOTOVOLTAIC PLANT AND 33KV POWERLINE ACROSS SITES 2B, 3B, 3C, 4B AND 5B ASSOCIATED WITH THE TUBATSE FERROCHROME PLANT ON PORTIONS 0, 1, 6 AND 10 OF THE FARM GOUDMYN 337 KT WITHIN FETAKGOMO-TUBATSE LOCAL MUNICIPALITY OF SEKHUKHUNE DISTRICT

Environmental impact Assessment Process: Scoping & Environmental Impact Reporting

LEDET Reference	12/1/9/2-GS88
NEAS Reference	LIM/EIA/0001878/2024
Amendments	First Issue

Holder of Authorisation: TFC Solar (Pty) Ltd

Address:



Postal address	Physical address
PostNet Suite 803 Private Bag X9 BENMORE 2010	Block A, Cullinan Place Cullinan Close MORNINGSIDE, SANDTON 2196

Att: Mr Willen den Heijer **Tel Number:** 083 256 9640 **Email:** willen.denheijer@samancorcr.com

LOCATION OF ACTIVITY:

Local Area Description	Location	District Municipality	Local Municipality
Steelpoort	Portions 0, 1, 6 and 10 of the farm Goudmyn 337 KT	Sekhukhune	Fetakgomo-Tubatse

GPS Coordinates

Point	Coordinates submitted by EAP and confirmed by the Department	
	South	East
Site 2B	24° 44' 14"	30° 12' 36"
Site 3B	24° 44' 52"	30° 11' 16"

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Site 3C	24° 44' 47"	30° 11' 4"
Site 4B	24° 44' 52"	30° 11' 1"
Site 5B	24° 44' 20"	30° 11' 20"

Site corner: 2B	Latitude (S)			Longitude (E)		
1	24°	44'	4.66"	30°	12'	34.26"
2	24°	43'	59.68"	30°	12'	51.72"
3	24°	43'	59.97"	30°	12'	53.39"
4	24°	43'	59.80"	30°	12'	51.74"
5	24°	44'	5.44"	30°	12'	34.65"
6	24°	44'	6.14"	30°	12'	32.90"
7	24°	44'	7.74"	30°	12'	25.72"
8	24°	44'	9.17"	30°	12'	23.05"
9	24°	44'	11.16"	30°	12'	20.70"
10	24°	44'	11.70"	30°	12'	20.29"
11	24°	44'	11.91"	30°	12'	20.21"
12	24°	44'	11.91"	30°	12'	20.18"
13	24°	44'	14.73"	30°	12'	17.86"
14	24°	44'	17.53"	30°	12'	21.60"
15	24°	44'	17.94"	30°	12'	22.54"
16	24°	44'	18.54"	30°	12'	23.76"
17	24°	44'	19.29"	30°	12'	24.74"
18	24°	44'	20.10"	30°	12'	25.87"
19	24°	44'	13.56"	30°	12'	39.79"
20	24°	44'	16.57"	30°	12'	41.55"
21	24°	44'	21.77"	30°	12'	31.00"
22	24°	44'	22.07"	30°	12'	30.99"
23	24°	44'	21.91"	30°	12'	31.50"
24	24°	44'	21.82"	30°	12'	31.96"
25	24°	44'	22.47"	30°	12'	33.15"
26	24°	44'	22.93"	30°	12'	33.97"
27	24°	44'	23.25"	30°	12'	34.13"
28	24°	44'	23.98"	30°	12'	34.56"
29	24°	44'	25.87"	30°	12'	36.71"
30	24°	44'	20.82"	30°	12'	45.22"
31	24°	44'	15.84"	30°	12'	56.89"
32	24°	44'	13.78"	30°	13'	4.32"
33	24°	44'	5.78"	30°	12'	58.30"
34	24°	44'	17.34"	30°	12'	26.98"
35	24°	44'	27.42"	30°	12'	37.51"
36	24°	44'	27.35"	30°	12'	37.17"
37	24°	44'	24.79"	30°	12'	34.08"

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38	24°	44'	24.00"	30°	12'	33.45"
39	24°	44'	23.13"	30°	12'	32.39"
40	24°	44'	23.21"	30°	12'	31.53"
41	24°	44'	23.62"	30°	12'	30.73"
42	24°	44'	22.86"	30°	12'	29.27"
43	24°	44'	23.19"	30°	12'	28.83"
44	24°	44'	24.91"	30°	12'	30.45"
45	24°	44'	25.48"	30°	12'	32.23"
46	24°	44'	26.75"	30°	12'	31.68"
47	24°	44'	27.50"	30°	12'	32.42"
48	24°	44'	28.77"	30°	12'	31.34"
49	24°	44'	31.79"	30°	12'	31.30"
50	24°	44'	33.65"	30°	12'	32.01"
51	24°	44'	36.17"	30°	12'	33.29"
52	24°	44'	40.19"	30°	12'	32.81"
53	24°	44'	40.60"	30°	12'	32.04"
54	24°	44'	36.27"	30°	12'	32.51"
55	24°	44'	34.99"	30°	12'	32.26"
56	24°	44'	33.36"	30°	12'	31.12"
57	24°	44'	32.65"	30°	12'	30.77"
58	24°	44'	31.14"	30°	12'	30.33"
59	24°	44'	30.42"	30°	12'	30.03"
60	24°	44'	26.86"	30°	12'	30.27"
61	24°	44'	23.75"	30°	12'	27.43"
62	24°	44'	26.04"	30°	12'	22.32"
63	24°	44'	42.06"	30°	12'	31.68"
64	24°	44'	39.06"	30°	12'	37.75"
65	24°	44'	36.52"	30°	12'	42.94"
66	24°	44'	30.81"	30°	12'	40.97"
67	24°	44'	20.65"	30°	12'	24.25"
68	24°	44'	16.57"	30°	12'	18.29"
69	24°	44'	18.38"	30°	12'	17.78"
70	24°	44'	22.44"	30°	12'	20.19"

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Site corner: 3B	Latitude (S)			Longitude (E)		
	24°	44'	50.65"	30°	11'	13.24"
	24°	44'	50.72"	30°	11'	23.61"
	24°	44'	55.66"	30°	11'	13.50"

Site corner: 3C	Latitude (S)			Longitude (E)		
	24°	44'	42.30"	30°	10'	59.68"
	24°	44'	49.27"	30°	11'	08.34"
	24°	44'	54.17"	30°	11'	07.75"

	24°	44'	42.72"	30°	10'	58.77"
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Site corner: 4B	Latitude (S)			Longitude (E)		
	24°	44'	46.32"	30°	10'	53.63"
	24°	44'	44.86"	30°	10'	57.16"
	24°	44'	57.56"	30°	11'	06.08"
	24°	45'	02.19"	30°	11'	07.14"

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Site corner: 5B	Latitude (S)			Longitude (E)		
	24°	44'	19.90"	30°	11'	14.82"
	24°	44'	16.60"	30°	11'	22.44"
	24°	44'	18.61"	30°	11'	24.14"
	24°	44'	23.39"	30°	11'	17.00"

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Linear activities

Point	Coordinates submitted by EAP and confirmed by the Department					
Power-line 50m Assessment Corridor – Main	South			East		
	Start point	24°	45'	05"	30°	11'
End point	24°	45'	04"	30°	11'	07"

Point	Coordinates submitted by EAP and confirmed by the Department					
Power-line 50m Assessment Corridor – Section A within Site 2B	South			East		
	Start point	24°	44'	20"	30°	12'
End point	24°	44'	22"	30°	12'	23"

Point	Coordinates submitted by EAP and confirmed by the Department					
Power-line 50m Assessment Corridor – Section B within Site 2B	South			East		
	Start point	24°	44'	29"	30°	12'
End point	24°	44'	30"	30°	12'	29"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 1 – Site 2B	South			East		
Start point	24°	44'	00"	30°	12'	51"
End point	24°	44'	06"	30°	12'	58"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 2 – Site 2B	South			East		
Start point	24°	44'	21"	30°	12'	32"
End point	24°	44'	22"	30°	12'	33"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 3 – Site 2B	South			East		
Start point	24°	44'	29"	30°	12'	32"
End point	24°	44'	29"	30°	12'	32"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 4 – Site 2B	South			East		
Start point	24°	44'	34"	30°	12'	26"
End point	24°	44'	34"	30°	12'	27"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 5 – Site 2B	South			East		
Start point	24°	44'	26"	30°	12'	22"
End point	24°	44'	26"	30°	12'	22"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road 6 – Site 2B	South			East		
Start point	24°	44'	17"	30°	12'	18"
End point	24°	44'	17"	30°	12'	18"



Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road – Site 3B	South			East		
Start point	24°	44'	51"	30°	11'	13"
End point	24°	44'	50"	30°	11'	24"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road – Site 3C	South			East		
Start point	24°	44'	43"	30°	11'	24"
End point	24°	44'	49"	30°	11'	08"

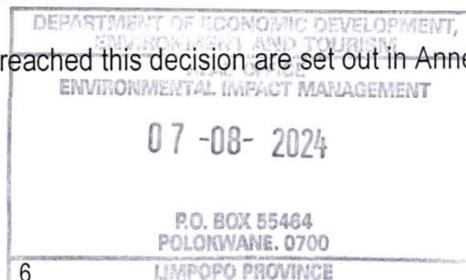
Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road – Site 4B	South			East		
Start point	24°	44'	45"	30°	11'	53"
End point	24°	45'	01"	30°	11'	07"

Point	Coordinates submitted by EAP and confirmed by the Department					
Internal Access Road – Site 5B	South			East		
Start point	24°	44'	18"	30°	11'	07"
End point	24°	44'	23"	30°	11'	18"

ACRONYMS

NEMA	National Environmental Management Act, 1998 (Act 107 of 1998), as amended.
Regulations	EIA Regulations of 8 December 2014 in terms of Chapter 5 of NEMA.
EIA	Environmental Impact Assessment.
Department	Department of Economic Development, Environment and Tourism.
I&APs	Registered Interested and Affected Parties
EA	Environmental Authorisation.
EMPr	Environmental Management Programme.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

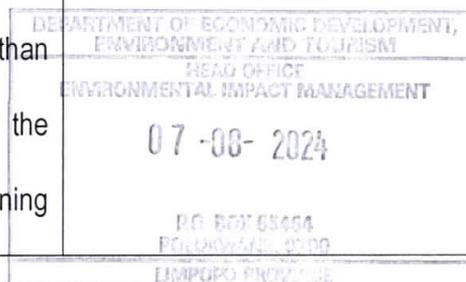


ACTIVITIES AUTHORISED

Notice and description	Activity Number and description	Component in the proposed development/expansion
Notice 1: R. 983 of 2014	Activity 11(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”.	The proposed development include the development of 33 kilovolts, situated outside built-up area.
Notice 1: R. 983 of 2014	Activity 12(ii)(c) – “The development of - (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs - (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse”.	There will be some structures on within 32m of the two drainage lines.
Notice 1: R. 983 of 2014	Activity 24(ii) “The development of a road (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres”.	The roads of 8m wide will be constructed.
Notice 1: R. 983 of 2014	Activity 19 – “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”.	There will be infilling or depositing of more than 10m ³ of material.
Notice 1: R. 983 of 2014	Activity 28(ii) – “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: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare”.	The development of the Solar PV Plant will involve the transformation of approximately 59,23 hectares of agricultural land.
Notice 2: R. 984 of 2014	Activity 1(a) – “The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs — (a) within an urban area”.	The electricity generation capacity of the Solar PV Plant will be 40MW

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Notice 2: R. 984 of 2014	Activity 15 – “The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for the undertaking of a linear activity; or maintenance purposes undertaken in accordance with a maintenance management plan”.	The clearance of indigenous vegetation will be within the assessed area of 59.23 hectares.
Notice 1: R. 983 of 2014	Activity 12 (e) (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. In Limpopo, 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”.	The clearance of indigenous vegetation will be within the assessed area of 59.23 hectares.
Notice 1: R. 983 of 2014	Activity 56 – “The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre— (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres; excluding where widening or lengthening occur inside urban areas.”	To provide for when the need to widen roads arise.



The PV Plant consist of the following:

- Solar PV panels that will be able to deliver the required 40MW;
- Inverters that convert direct current (DC) generated by the PV modules into alternating current (AC);
- Transformer/s; and
- Instrumentation and Control consisting of hardware and software for remote plant monitoring and operation of the facility.

Associated infrastructure include:

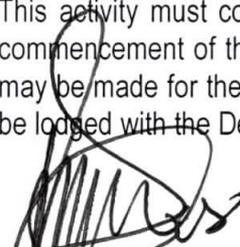
- Mounting structures for the solar panels in a fixed tilt or rotating tracking configuration;
- Cabling between the structures;
- New 33kV overhead powerlines between the various sites and the Tubatse East and West substation buildings;
- Two switching stations at Site 2B and 3B as well as transformer yard at each PV site;

- Containerised switching station connecting to Tubatse East and West MV substations;
- Water provision infrastructure (i.e. pipeline/s, storage tank/s, etc.) for PV panel cleaning; and
- Internal access roads (approximately 6m - 8m) will be constructed, but existing roads will be used as far as possible), fencing (approximately 3m in height), gates and access control.

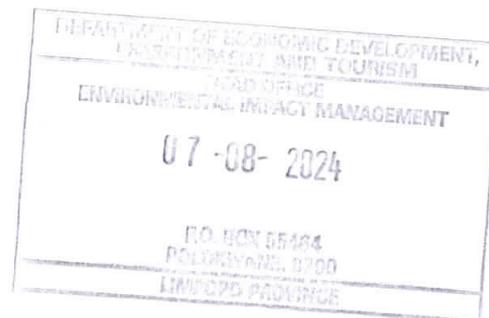
CONDITIONS

1. Departmental standard conditions attached as Annexure 2.
2. The EMPr attached as part of the reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the activity.
3. An offset area must be proposed and implemented for the Sekhukhune Plains Bushveld.
4. A stormwater management system must be implemented throughout the lifecycle of the development.
5. Buffer zones around the watercourses must be determined, prior commencement, in consultation with the Department of Water and Sanitation, taking into consideration other available studies undertaken for the catchment.
6. The development structures to be placed within 32 metres of watercourses must not disturb the flow and the impacts on the river corridor must be limited to the disturbed areas.
7. No paleontological resources should be excavated, broken, moved or destroyed by any development activities without permission from the relevant heritage resources authority in terms of section 35 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

This activity must commence within a period of ten (10) years from the date when the EA was issued. If commencement of the activity does not occur within that period, the EA lapses and a new application for EA may be made for the activity to be undertaken. Any request for extension of the validity period of the EA must be lodged with the Department at least 60 days before the expiry date of the EA.


CHIEF DIRECTOR
INTEGRATED ENVIRONMENTAL MANAGEMENT

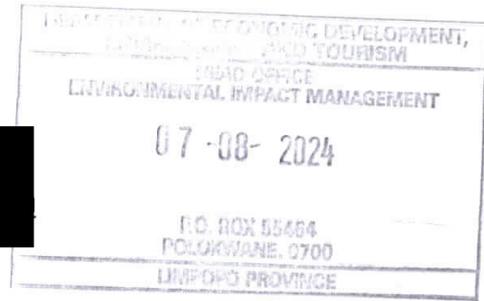
DATE: 07/08/2024



ANNEXURE 1: REASONS FOR THE DECISION

1. Environmental Assessment Practitioner

Names: Ms Prashika Reddy
Company (where applicable): Royal Haskoning DHV



2. Dates of receipt of information

Document	Application Form	Scoping Report(SR) for:	EIA Report for:
Date of receipt	07 November 2023	Consultation – 07 November 2023 Decision – 12 December 2023	Consultation – 28 March 2024 Decision – 16 May 2024
Date of acknowledgement	10 November 2023	Consultation – 10 November 2023 Decision – 13 December 2023	Consultation – 10 April 2024 Decision – 24 May 2024
Date of Acceptance		31 January 2024	

Date of Site visit (where applicable): 10 April 2024

3. List of specialist reports and other information:

Report description	Person (and Company) who compiled the report and Date	Location in the EIAR
Environmental Screening Report	Ms Prashika Reddy of Royal Haskoning DHV, 21 August 2023	Appendix B
Agricultural Compliance Statement	Paul da Cruz of Scientific Aquatic Services, 13 October 2023	Appendix F1
Hydrological Assessment	Hendrick Botha of GCS Water and Environmental (Pty) Ltd, 06 May 2024	Appendix F2
Freshwater Ecological Assessment	Johann Lanz of Scientific Aquatic Services, February 2024	Appendix F3

Terrestrial Biodiversity Impact Assessment	Riaan AJ Robbeson of Bathusi Environmental Consulting cc, 08 May 2024	Appendix F4
Avifauna Assessment	Paul da Cruz of Scientific Aquatic Services, March 2024	Appendix F5
Heritage Impact Study	Daniel Tasker of PGS Heritage (Pty) Ltd, 29 February 2024	Appendix F6
Paleontological Desktop Assessment	Elize Butler of Banzai Environmental (Pty) Ltd, October 2023	Appendix F6
Visual Compliance Statement	Paul da Cruz of Scientific Aquatic Services, 06 May 2024	Appendix F7

4. Key factors considered in making the decision

4.1. Public Participation

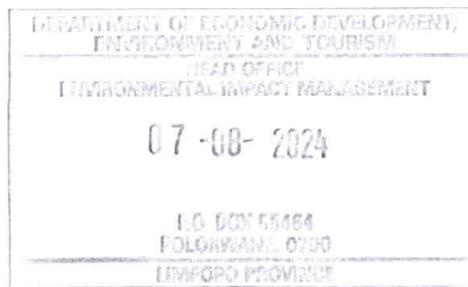
Name of newspaper: Steelburger / Lydenburg News

Date of advertisement in the newspaper: 21 March 2024, Thursday

Site Notices: Site notices were placed on the proposed development site.

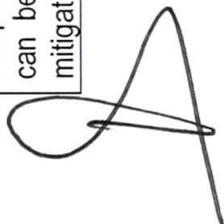
Notification of interested and affected parties about the development: Notifications were distributed through emails and post office to interested and affected parties.

Issues raised by I&APs; and responses from the EAP and Department:



Issue	Comment by EAP	Comment by the Department
<p>Has a traffic impact assessment (TIA) been completed for the EIA? Based on a TIA we have recently undertaken there are a number of intersections already under pressured as a result of existing traffic levels. There is a potential that the traffic associated with the project may have a significant impact on the R555 and existing intersections. The potential impact and appropriate mitigation measures would be determined through completing a TIA</p>	<p>No TIA has been conducted for the project and further to this no TIA has been identified as a specialist assessment according to the DFFE Screening Tool for the PV Project. SANRAL is a key stakeholder on the project and have been notified of both phases of the project. During Phase 1, SANRAL were concerned about access off the R555 and preferred that existing access roads are used. No new access points off the R555 are proposed for the project.</p>	<p>Response considered adequate.</p>
<p>Please advise how the existing offset plan has been augmented to compensate for the loss of sensitive areas associated with this project.</p>	<p>The existing offset strategy has not yet been amended to allow for loss of habitat from this Phase of the development, the Biodiversity Report only recommends an amendment of the strategy. Changes to the strategy will, most likely, related to an appropriate amendment in the recommended size of land, or an increase in the monetary value of the compensation, in the event that it is requested by the Competent Authority. Further to this, an Offset Plan was not required for Phase 1 of the project.</p>	<p>Response considered adequate and offset area requested for the Sekhukhune Plains Bushveld.</p>
<p>We completed a dam break analysis of the De Hoop Dam and can confirm that in the extremely unlikely event of a failure of the De Hoop Dam, Site 5 would be severely impacted by flood water.</p>	<p>Dam Safety Analysis - A Dam Break Analysis is not required for a PV Plant project and therefore has not been conducted.</p>	<p>Response considered adequate.</p>
<p>Lebalelo Water User Association has pointed out that one of the power corridors crosses the Association's raw water pipeline and concerns were raised regarding possible interference with the</p>	<p>It is further confirmed that Samancor is in discussions with Lebalelo Water User Association regarding the overhead lines to evacuate the generated power from Site 5 that has previously</p>	<p>Response considered adequate.</p>

<p>Association's cathodic protection of the pipeline. This has been discussed with Samancor and other representatives.</p>	<p>been awarded an EA (60MW project). The current EIA (40MW) will not result in any additional overhead lines that need to cross the raw water pipeline and will make use of the powerline associated with the 60MW project.</p>	<p>The comment is noted and a condition is provided to address the concern.</p>
<p>Based on an Aquatic specialist study we have recently completed, the proposed 20m buffer for the drainage lines and the Steelpoort River is inadequate to act as a suitable aquatic buffer. I would like to suggest that this Freshwater study is peer-reviewed by an appropriate specialist, and, if an alternative buffer is recommended this is presented.</p>	<p>The local environment is not characterised by significant volumes of recharge, hence the buffer tool did not need to preserve a wider buffer to mitigate against the loss of such recharge. Finally, the nature of solar panel arrays, having a lesser footprint and impact as compared to developments of much greater footprint and impact – such as mining – was taken into account by the tool.</p>	<p>Response considered adequate.</p>
<p>Climate change physical risk assessment: I would recommend undertaking a climate change physical risk assessment to better understand the potential impacts / opportunities climate change may have on the project and how these impacts / opportunities can be appropriated considered in terms of the mitigation hierarchy.</p>	<p>A Climate Change Assessment was conducted for Phase 1 that considered the climate change impacts associated with a 100MW PV Plant. Impact management actions were included in the approved EMPr.</p>	<p>Response considered adequate.</p>



DEPARTMENT OF ECONOMIC DEVELOPMENT,
 ENVIRONMENT AND TOURISM
 HEAD OFFICE
 ENVIRONMENTAL IMPACT MANAGEMENT
 07 -08- 2024
 P.O. BOX 57484
 JOHANNESBURG 2009
 REPUBLIC OF SOUTH AFRICA

4.2. Findings

Activity/Report	Finding
Environmental Screening Report	The proposed development site falls within the Ecological Support Area 1.
Agricultural Compliance Statement	It is concluded that the agricultural activities will not be possible if Samancor and related industrial activities are operating on the proposed land and therefore has zero current potential for agricultural production.
Hydrological Assessment	The findings indicates that the hydrological assessment undertaken cannot find any ground to deny Water Use Licence and Environmental Authorisation. This is grounded on the assumption that the proposed mitigation, monitoring and stormwater management recommendations are implemented.
Freshwater Ecological Assessment	It is concluded that all the mitigation measures be fully implemented and that the integrity of the 20m development exclusion area be protected through all development phases. Furthermore, the professional opinion indicates that the proposed development can be considered acceptable.
Terrestrial Biodiversity Impact Assessment	It is predicted that the impacts on the ecological environment will generally be of high to moderate significance. On that note, despite concerns that are raised about the loss of minor portions of highly sensitive habitat associated with southern sections of site B, no specific objections are raised in its current configuration.
Avifauna Assessment	It has been recommended that due to the low potential of occurrence of Species of Conservation Concern in the study area, impacts to these priority species are not anticipated to be regionally significant. Based on the findings, the proposed development can be considered acceptable.
Heritage Impact Study	The report recommended that the proposed project will have a direct impact on several identified heritage resources rated being of low to high heritage significance. Therefore, the implementation of the recommended mitigation measures leads the overall impacts on heritage resources to be reduced to acceptable levels during proposed activities
Paleontological Desktop Assessment	It is recommended that the Environmental Control Officer be informed that the Magaliesberg Formation has a high paleontological sensitivity. Therefore, a paleontological resources may not be excavated, broken, moved or destroyed by any development activities without prior assessment and without permission from the relevant heritage resources authority in terms of section 35 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).
Visual Compliance Statement	Based on the findings, the proposed development is expected to have a minimal visual impact on the receiving environment. From the visual resources management perspective, the proposed project can be considered favourable.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the EA, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The authorisation is accordingly granted.

ANNEXURE 2

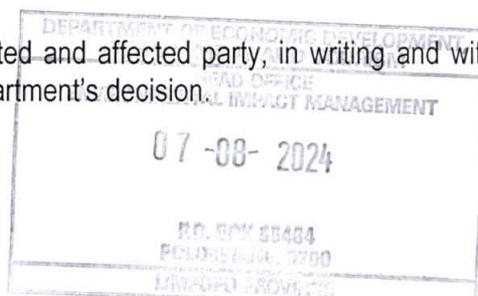
LEDET DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the EA shall be responsible for ensuring compliance with the conditions contained in this EA. 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 EA.
- 1.2 Any changes to, or deviations from, the project description set out in this EA 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 EA to apply for further authorisation in terms of the Regulations.
- 1.3 The activity, which is authorised, may only be carried out at the property indicated in the EA.
- 1.4 The holder of the EA will be held liable for any damages to the environment and associated costs, which results from any activity related to the construction and/or operation of the proposed project.
- 1.5 Where any of the holder of the EA's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.6 The Department reserves the right to monitor and audit the development throughout its full life cycle.
- 1.7 This EA does not negate the holder of the EA's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

2. APPEAL OF AUTHORISATION

- 2.1. The holder of the EA must notify all registered interested and affected party, in writing and within 14 (fourteen) calendar days, of receiving notice of the Department's decision.
- 2.2. The notification referred must –
 - 2.2.1 Specify the date on which the EA was issued;
 - 2.2.2 Inform all the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations;
 - 2.2.3 Advise all the interested and affected party that a copy of the EA will be furnished on request; and give the reasons for the decision.



3. APPEAL PROCEDURE

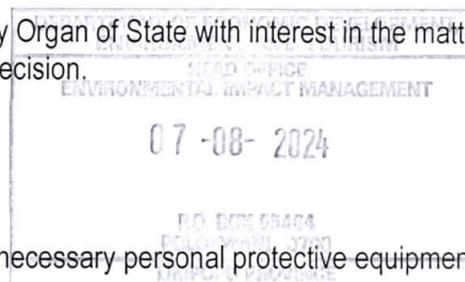
- 3.1 An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority lodge an appeal;
- 3.2 An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs, submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator;
- 3.3 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; as follows:

Ms Matlala MF

Address: 20 Hans van Rensburg Street, Evidiki Towers, **POLOKWANE**, 0699

Tel: (015) 293 8526/27| Mobile: 083 700 9649| Email: MakgokaKS@ledet.gov.za

- 3.4 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Department that issued the decision.



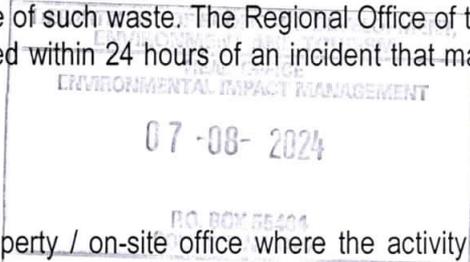
4. COMMENCEMENT OF THE DEVELOPMENT

- 4.1 To ensure their safety, all employees must be given the necessary personal protective equipment.
- 4.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him/her.
- 4.3 Appropriate notification signs must be erected at the construction site, warning the public (residents, visitors etc.) about the hazards around the construction site and presence of heavy vehicles and machinery.
- 4.4 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Further, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line/wet area.
- 4.5 Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm-water run-off.
- 4.6 Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
- 4.7 The holder of the EA must note that in terms of the National Forest Act (Act No. 84 of 1998); protected plant species (also listed in Limpopo Environmental Management Act, 2003 (Act No. 7 of 2003) must not be cut, disturbed, damaged, destroyed, and their product must not be possessed, collected,

removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Forestry, Fisheries and Environment (DFFE).

- 4.8 All construction areas (e.g. material lay down area), topsoil and sub-soils must be protected from contamination or pollution and stockpiling must not take place in drainage lines or where it would impede surface water runoff.
- 4.9 If any soil contamination is noted during the construction and operational phase of the proposed activities, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated to the satisfaction of this Department and DWS. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal and this Department must be informed in this regard.
- 4.10 Should infill material be required for any purpose, the use of borrow pits must comply with the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Mineral Resources and Energy (DMRE).
- 4.11 An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, re-use and disposal where appropriate. Uncontaminated builders' rubble generated during the construction can be re-used as back filling material on site. Ensure that no refuse or builders rubble generated on the premises is placed, dumped or deposited on adjacent properties or public places and open spaces during or after construction.
- 4.12 Section 28 of the NEMA places a duty of care on the holder of the EA to ensure that reasonable measures are taken to prevent pollution or degradation of the environment from occurring, continuing or recurring. Should any environmental damage result from this development or the operation thereof, the holder of the EA, must within 14 days of the damage being caused, rectify the situation at his/her own expense.
- 4.13 Movement of construction vehicles and machinery must be restricted to areas outside of the drainage lines/wet area.
- 4.14 Construction vehicles must be serviced and maintained in a manner whereby excessive smoke and noise production is reduced to acceptable levels, and to prevent oil leaks. Contaminated soil must be remediated on site or removed to an appropriately authorised landfill site.
- 4.15 Dust and nuisance must be minimised through damping down of unsurfaced areas.
- 4.16 Residents (if any) on the property and surrounding area must be informed if any unusually noisy activities are planned. Noise impacts must be reduced over distance at a rate of 1db (decibel) per 13 metres.
- 4.17 Chemical sanitation facilities or systems such as "toilets" that do not rely on seepage of liquids must be provided with a ratio of one for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to operating instructions and the contents thereof must be disposed of at an authorised waste water treatment works.

- 4.18 Mixing of cement, concrete, paints, solvents, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflows onto soil to avoid contamination to underground water and environmental damage.
- 4.19 Construction activities must be suspended and a representative of the South African Heritage Resources Agency (SAHRA) and/ or Limpopo Heritage Resources Agency (LIHRA) be contacted immediately in the event of finding or uncovering any subterranean (middens, graves, etc.).
- 4.20 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 4.21 The hydraulic fluids or chemicals required during construction must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it should be cleaned immediately by removing the spillage together with the polluted solid and dispose it in an authorised disposal site permitted to dispose of such waste. The Regional Office of the Department of Water and Sanitation (DWS) must be notified within 24 hours of an incident that may pollute surface and ground water.



5. MANAGEMENT OF THE ACTIVITY

- 5.1 A copy of this EA must be kept at the property / on-site office where the activity (ies) will be undertaken. The EA must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 5.2 The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site, and any updates or amendments to the EMPr must be submitted to the Department for approval.
- 5.3 Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times and repaired, if damaged, as directed by this Department or any other relevant authority.
- 5.4 The holder of the EA shall note that in terms of Section 19(1) of the National Water Act, 1998 (Act No. 36 of 1998), "An owner of the land, a person in control of land or a person who occupies or uses the land on which- (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which caused or is likely to cause pollution of a water source must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring". Therefore, any pollution incident(s) associated with the proposed project shall be reported to the relevant Regional Office of the Department of Water and Sanitation within 24 hours.

6. REPORTING TO THE DEPARTMENT

- 6.1 The holder of the EA must notify the Department, in writing and within 48 (forty-eight) hours, if any condition of this EA cannot be or is not adhered to. Any notification in terms of this condition must

be accompanied by reasons for the non-compliance. Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in NEMA and the Regulations.

- 6.2 Fourteen (14) days written notice must be given to the Department that the activity's operational phase will commence. Commencement for the purposes of this condition includes site preparation.
- 6.3 Any complaints received from the registered interested and affected parties (I&APs) during the construction and operational phase of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned I&APs.
- 6.4 The holder of the authorisation must ensure that an up to date emergency register is kept during the construction and operation of the project. This register must be made available upon request by the Department.
- 6.5 The holder of the EA must notify the Department within thirty (30) days after the completion of the construction activities.

7. **SITE CLOSURE AND DECOMMISSIONING**

- 7.1 Should the activity ever cease or become redundant, the holder of EA shall 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.

