



## forestry, fisheries & the environment

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

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

**DFFE Reference:** 14/12/16/3/3/1/2693

**Enquiries:** Mr Wayne Hector

**Telephone:** (012) 399 9410, **E-mail:** [WHector@dffe.gov.za](mailto:WHector@dffe.gov.za)

Mr Thomas Condesse  
FS Droogfontein (Pty) Ltd  
Ground Floor  
Sable Corner  
15 Bridgeway Road  
Bridgeways Precinct  
**CENTURY CITY**  
7441

**Telephone Number:** 0033 (0)6 22 66 59 32  
**Email Address:** [thomas.condesse@energyteam.co.za](mailto:thomas.condesse@energyteam.co.za)

### PER EMAIL / MAIL

Dear Mr Condesse

### **ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DROOGFONTEIN 5 SOLAR AND BATTERY STORAGE ENERGY FACILITY, NEAR KIMBERLEY, 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 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 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 National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe 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.

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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:**

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

By email: [appeals@dfpe.gov.za](mailto:appeals@dfpe.gov.za)

By hand: Environment House  
473 Steve Biko Road  
Arcadia  
**PRETORIA**  
0083.

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.dfpe.gov.za/documents/forms#legal\\_authorisations](https://www.dfpe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dfpe.gov.za](mailto:appeals@dfpe.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries & the Environment**

Date: 24/04/2023

cc:	Ms Lisa de Lange	Environamics Cc	Email: <a href="mailto:lisa@environamics.co.za">lisa@environamics.co.za</a>
	Mrs. Doreen Werth	Northern Cape: DALRRD	Email: <a href="mailto:dwerth@ncpg.gov.za">dwerth@ncpg.gov.za</a>
	Mr. Goolam Akharway	Sol Plaatje Local Municipality	Email: <a href="mailto:Gakhawaray@solplaatje.org.za">Gakhawaray@solplaatje.org.za</a>



## forestry, fisheries & the environment

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

### Environmental Authorisation

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

**CONSTRUCTION OF DROOGFONTEIN 5 SOLAR AND BATTERY STORAGE ENERGY FACILITY,  
NEAR KIMBERLEY, NORTHERN CAPE PROVINCE**

**FRANCES BAARD DISTRICT MUNICIPALITY**

<b>Authorisation register number:</b>	14/12/16/3/3/1/2693
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	FS Droogfontein (Pty) Ltd
<b>Location of activity:</b>	Northern Cape Province: located within Ward 29 of the Sol Plaatje Local Municipality and the larger Frances Baard District Municipality. Located on the Remaining Extent and Portion 1 of the Farm Droogfontein No. 62.

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.

## 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—

#### **FS Droogfontein (Pty) Ltd**

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

with the following contact details –

Thomas Condesse  
FS Droogfontein (Pty) Ltd  
Ground Floor, Sable Corner,  
15 Bridgeway Road,  
Bridgeways Precinct,  
**CENTURY CITY**  
7441.

Telephone Number: (0)6 22 66 59 32  
Email Address: thomas.condesse@energyteam.co.za

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u></p> <p>The development of facilities or infrastructure for the transmission and distribution of electricity-</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>The proposed photovoltaic solar energy facility will transmit and distribute electricity of 132 kilovolts outside an urban area. The grid connection infrastructure includes a 132kV power line to connect the facility from a new on-site facility substation/ 132kV collector substation to the national grid. A grid connection corridor, with a width of up to 300m, has been identified for the placement of the power line to connect to the Elk-Weir 1 132kV Power Line. Connection to the existing power line will be via a loop-in loop-out connection.</p>
<p><u>Listing Notice 1, Item 12:</u></p> <p>The development of-</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square meters or more,</p> <p>(a) within a watercourse,</p> <p>(c) within 32 meters of a watercourse, measured from the edge of a watercourse.</p>	<p>The development area <b>Option E</b> is located within 32m of a depression wetland. Drainage lines and artificial wetlands are also present within the grid connection corridor associated with development area Option E.</p>
<p><u>Listing Notice 1, Item 14:</u></p> <p>The development and related operation 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.</p>	<p>The proposed development will need to develop infrastructure for the storage and handling of dangerous goods (diesel) in containers with combined capacity of 90 cubic metres but can be up to 100 cubic meters. The capacity will not exceed 500 cubic metres.</p>
<p><u>Listing Notice 1, Item 19:</u></p> <p>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 meters from a watercourse.</p>	<p>The drainage lines and artificial wetlands are also present within the grid connection corridor associated with development area <b>Option E</b>. This will require the removal and moving of soils of more than 10 cubic meters from these surface water features.</p>

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<p><u>Listing Notice 1, Activity 24(ii)</u></p> <p>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.</p>	<p>The internal roads will vary between 8 and 12 meters in width. The internal roads will be 8m in width and the perimeter road will be up to 12m in width.</p>
<p><u>Listing Notice 1, Item 28(ii):</u></p> <p>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.</p>	<p>The portions of the affected farm have been previously used for grazing and the properties will be re-zoned to "Electricity, Utility or Industrial" use. The development footprint of the solar energy facility and associated infrastructure will be between 490 and 500 hectares.</p>
<p><u>Listing Notice 1, Item 56 (ii):</u></p> <p>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.</p>	<p>The existing access to the affected properties does not have a reserve and will need to be widened by more than 6 metres for the construction and operation of the solar energy facility.</p>
<p><b>Listing Notice 2</b></p>	
<p><u>Listing Notice 2, Item 1:</u></p> <p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</p>	<p>The proposed photovoltaic solar energy facility will have a generation capacity of up to 200MW (direct current) and an alternating current of up to 180MW of electricity through the use of a renewable energy resource.</p>
<p><u>Listing Notice 2, Item 15:</u></p> <p>The clearance of an area of 20 hectares or more of indigenous vegetation.</p>	<p>The site falls within the Kimberley Thornveld which is described by Mucina and Rutherford (2006) as Least Threatened. The portions of the site have not been lawfully disturbed during the preceding ten years; therefore, more than 20 hectares of indigenous vegetation will be removed. The development footprint of the solar energy facility and associated infrastructure will be between 490 and 500 hectares.</p>

### Listing Notice 3

#### Listing Notice 3, Item 4:

The development of a road wider than 4 metres with a reserve less than 13,5 metres

(g) in the Northern Cape,

(ii) outside urban areas,

(ee) within critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

The internal roads will vary between 8 and 12 meters in width. The internal roads will be 8m in width and the perimeter road will be up to 12m in width. The solar energy facility is located in the Northern Cape Province, outside urban areas. A small section of the grid connection corridor associated with development area alternative **Option E** infringes into a Critical Biodiversity Area One.

#### Listing Notice 3, Item 12:

The clearance of an area of 300 square metres or more of indigenous vegetation,

(g) Northern Cape Province-

(ii) within critical biodiversity areas identified in bioregional plans.”

The proposed solar energy facility is located within the Northern Cape Province and is proposed to have a development footprint of between 490 and 500 ha. A small section of the grid connection corridor associated with development area alternative **Option E** infringes into a Critical Biodiversity Area One.

#### Listing Notice 3, Item 14:

The development of-

(ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs,

(a) within a watercourse or

(c) if no development setback has been adopted within 32 metres of a watercourse, measured from the edge of a watercourse,

(g) Northern Cape,

(ii) outside urban areas,

(ff) critical biodiversity areas or ecosystem services areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

The alternative development area **Option E** is located within 32m of a depression wetland. Drainage lines and artificial wetlands are also present within the grid connection corridor associated with development area Options E. The project is located within the Northern Cape Province and falls outside of an urban area. A small section of the grid connection corridor associated with development area alternative Option E infringes into a Critical Biodiversity Area One. The proposed solar energy facility is located within the Northern Cape Province and is proposed to have a development footprint of between 490 and 500 ha.

<p><u>Listing Notice 3, Item 18:</u></p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre,</p> <p>(g) in the 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, and</p> <p>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p>	<p>The existing access road to the site will need to be widened by more than 4 metres. The project is located within the Northern Cape Province and falls outside of an urban area. A small section of the grid connection corridor associated with development area alternative <b>Option E</b> infringes into a Critical Biodiversity Area One. Alternative development area Option E is located within 32m of a depression wetland. Drainage lines and artificial wetlands are also present within the grid connection corridor associated with development area Option E.</p>
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as described in the Basic Assessment Report (BAR) dated 24 February 2023 at:

21 Digit Surveyor General codes:

Portion 1 of the Farm Droogfontein No. 62 -

**C03700000000006200001**

Remaining Extent of the Farm Droogfontein No. 62 -

**C03700000000006200000**

200MW Droogfontein 5 Solar Pv		
Development Area Option E	Latitude	Latitude
North-western corner	28°33'46.14"S	24°42'38.12"E
North-eastern corner	28°33'31.85"S	24°43'39.64"E
South-eastern corner	28°34'26.53"S	24°44'23.08"E
South-western corner	28°34'43.86"S	24°42'53.45"E
Grid Connection Corridor – Option E		
North-western corner	28°34'44.35"S,	24°42'50.85"E.
North-eastern corner	28°34'42.15"S,	24°43'1.15"E.
South-eastern corner	28°35'54.26"S,	24°43'19.70"E
South-western corner	28°35'56.51"S,	24°43'9.46"E.

- for the construction of Droogfontein 5 Solar and Battery Storage Energy Facility, near Kimberley, Northern Cape Province, hereafter referred to as "the property".



The associated infrastructure will include the following:

- PV Panel Array.
- Site clearing and preparation and civil works.
- Electrical reticulation network- An internal electrical reticulation network is required and will be laid ~2-4m underground as far as possible.
- On-site Facility Substation: up to 3ha.
- Collector Substation: up to 3ha.
- Supporting infrastructure, includes, Administration Office (~300m<sup>2</sup>); Switch gear and relay room (~400m<sup>2</sup>); Staff lockers and changing room (~200m<sup>2</sup>); Security control (~60m<sup>2</sup>); Operations & Maintenance (O&M) room; and Warehouse.
- Battery Energy Storage System (BESS).
- Roads and Fencing.

Technical details of the PV Facility:

Component	Description/ Dimensions
Height of PV panels	Up to 3 meters
Area of PV Array	Up to 300 hectares (within the up to 500ha development footprint).
Number of inverters required	To be determined as part of the final facility layout design.
Area occupied by inverter / transformer stations / substations	On-site Facility Substation: up to 3ha. Collector Substation: up to 3ha. BESS: up to 5ha.
Export capacity	<b>200MW</b>
Capacity of the on-site substation	33kV / 132kV
Capacity of the collector substation	33kV / 132kV
Capacity of the power line	33kV / 132kV
Area occupied by both permanent and construction laydown areas	Up to 3 hectares.
Area occupied by buildings	<ul style="list-style-type: none"> <li>• Administration Office (~300m<sup>2</sup>);</li> <li>• Switch gear and relay room (~400m<sup>2</sup>);</li> <li>• Staff lockers and changing room (~200m<sup>2</sup>); and</li> <li>• Security control (~60m<sup>2</sup>).</li> </ul>

Width of internal roads	Between 8 and 12 meters.
Grid connection corridor width	300m
Grid connection corridor length	Option E: up to 2.3km
Power line servitude width	Up to 32m
Height of fencing	Approximately 3 meters.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The proposed construction of **200MW Droogfontein 5** Solar and Battery Storage Energy Facility, near Kimberley, Northern Cape Province is **approved** as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be conducted at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of **ten (10) years from** the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.



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 layout map attached as Appendix G of the final BAR dated 24 February 2023 is hereby approved.
14. The Generic Environmental Management Programme (EMPr) submitted as part of the BAR dated 24 February 2023 is approved and must be implemented and adhered to.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.

17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.

#### **Frequency and process of updating the EMPr.**

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 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.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. 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**

23. 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.
- 23.1. The ECO must be appointed before commencement of any authorised activities.

- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. 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**

- 24. 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.
- 25. 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.
- 26. The frequency of auditing and of 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.
- 27. 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.
- 28. 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.
- 29. 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**

- 30. 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**

31. 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**

32. 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**

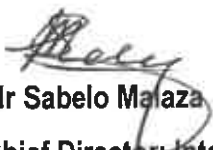
33. All contractors and employees must undergo induction which is to include a component of environmental awareness. The induction is to include aspects such as the need to avoid littering, the reporting and cleaning of spills and leaks and general good "housekeeping";
34. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
35. A stormwater management plan must be compiled and implemented for the project, facilitating the diversion of clean water to the delineated resources.
36. Erosion Management Plan, Maintenance Plan and Rehabilitation Plan of natural vegetation must be developed to mitigate on habitat degradation and consider all phases of the development. Rehabilitation Plan must include the ongoing monitoring and maintenance of the surrounding natural vegetation.
37. Alien Invasive Plant Species Management and Rehabilitation Plans must be developed and submitted as part of the final report to mitigate habitat degradation due to erosion and alien plant invasion.
38. Permit from relevant authorities must be obtained prior commencement of any construction activities for the disturbance or removal of any nationally or provincially protected species.
39. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g., grasslands, rivers, wetlands, and dams).
40. Vegetation clearing prior and during construction must be limited to the footprint of the proposed development. Furthermore, the applicant must ensure that Laydown yards, camps and storage areas are placed within project area.

41. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
42. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. No dumping of material on-site should be allowed.
43. Should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.
44. All recommendations and mitigation measures made by the specialist must be adhere to and include in the EMPr.

#### **General**

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 website.
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 authorisation.

**Date of Environmental Authorisation:** 24/04/2023



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries & the Environment**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision.

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

- The triggered listed activities as applied for in the application form received on 09 January 2023.
- The information contained in the BAR dated 24 February 2023.
- The detail assessment of project alternatives.
- The comments received from, DFFE-Directorate: Biodiversity conservation, and interested and affected parties as included in the BAR.
- Mitigation measures as proposed in the BAR and the EMPr.
- The project site is within the Kimberley Renewable Energy Development Zones (REDZ).
- The information contained in the specialist studies and mitigation measures contained within the "Appendix E" of the BAR dated 24 February 2023 and as appears below:

Title	Prepared by	Date
Terrestrial biodiversity assessment	The Biodiversity Company.	November 2022.
Avifauna Impact Assessment	The Biodiversity Company.	November 2022.
Visual Impact Assessment	Johan Botha: Donaway Environmental	November 2022.
Agricultural compliance statement	The Biodiversity Company	November 2022.
Cultural Heritage Impact Assessment	Honorary Research Associate	December 2022.
Palaeontological Impact Assessment	Banzai Environmental (Pty) Ltd.	November 2012.
Social Impact Assessment	Donaway Environmental.	November 2022.
Wetland Baseline & Risk Assessment	The Biodiversity Company.	November 2022

### 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.

- The findings of all the specialist studies conducted and their recommended mitigation measures.
- The need for the proposed project stems from the provision of electricity to the national grid.



- c) The BAR dated 24 February 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed 200MW Droogfontein 5 Solar Pv (within the REDZ).
- e) The detail assessment of project alternatives.
- f) The methodology used in assessing the potential impacts identified in the BAR dated 24 February 2023 and the specialist studies have been adequately indicated.
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

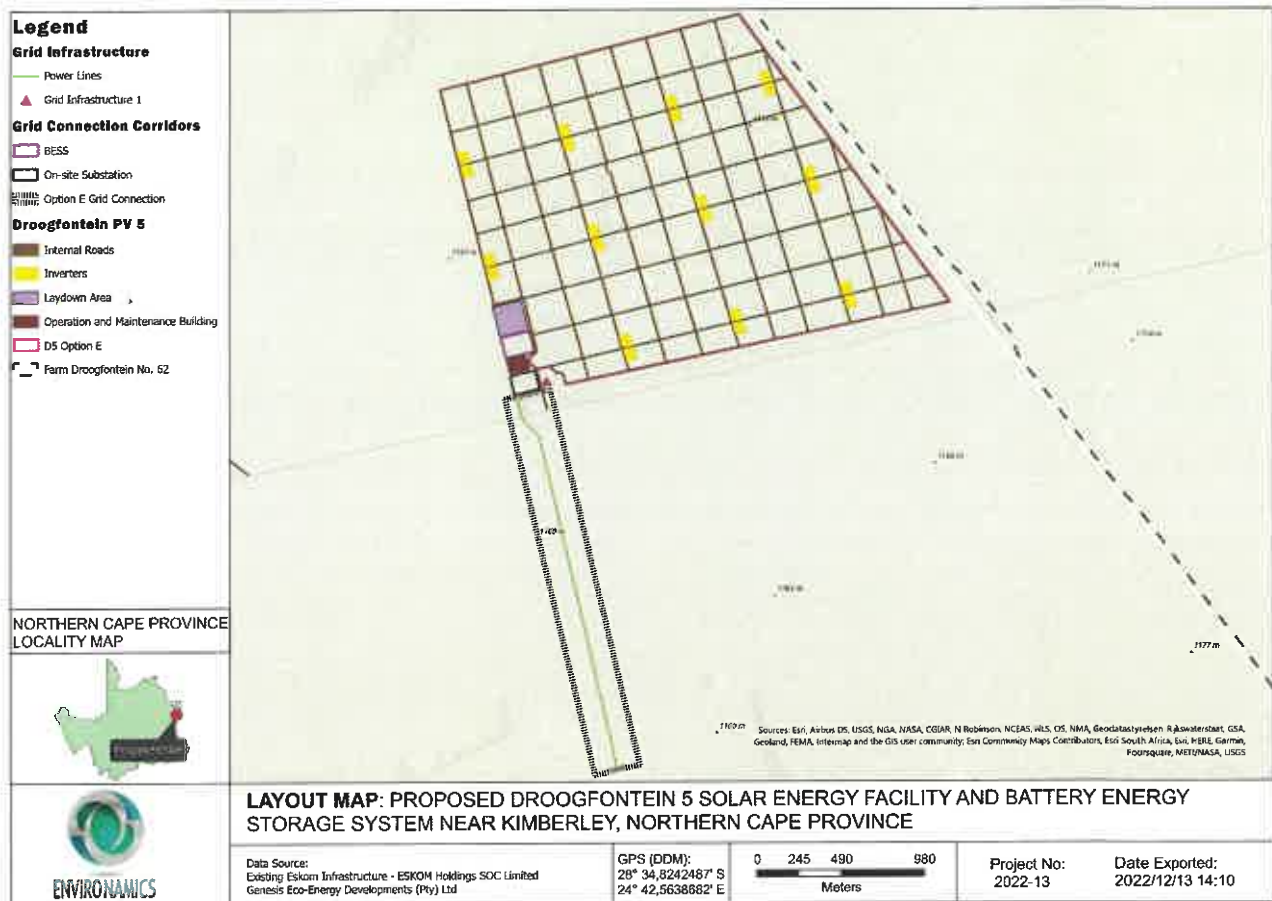
### **3. Findings**

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

- a) The identification and assessment of impacts are detailed in the BAR dated 24 February 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated 24 February 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

## Annexure 2: Locality Plan



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