



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: 14/12/16/3/3/1/2668

Enquiries: Dr Danie Smit

Telephone: (012) 399 9394 **E-mail:** dsmit@dffe.gov.za

Mr Matteo Giulio Luigi Brambilla
Dominion 2 Solar Park (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
CAPE TOWN
8012

Telephone Number: (021) 418 3940
Cell phone Number: (072) 212 1531
Email Address: m.logan@redrocket.energy

PER EMAIL / MAIL

Dear Mr Brambilla

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DEVELOPMENT OF DOMINION 2 SOLAR PARK AND ASSOCIATED INFRASTRUCTURE LOCATED NEAR KLERKSDORP, NORTH WEST 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 stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

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

By email: appeals@dffe.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083

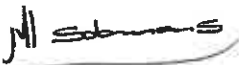
or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

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

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 27/03/2023.

cc:	Ms. Kristen Shaw	Terramanzi Group (Pty) Ltd	Email: environmental@terramanzi.co.za
	Mr Robert Nemanashi	North West Department of Economic Development, Environment, Conservation and Tourism	Email: RNemanashi@nwpg.gov.za
	Mrs. J Masilo	City of Matlosana Local Municipality	Email: jmasilo@klerksdorp.org



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

Development of Dominion 2 Solar Park and associated infrastructure Located near Klerksdorp,

North West Province

Dr Kenneth Kaunda District Municipality

Authorisation register number:	14/12/16/3/3/2/2668
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Dominion 2 Solar Park (Pty) Ltd</i>
Location of activity:	<i>Portion 8 of Remainder of Farm Wolverand 425, City of Matlosana Local Municipality, Dr Kenneth Kaunda District Municipality, North West Province.</i>

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

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 –

DOMINION 2 SOLAR PARK (PTY) LTD

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

with the following contact details –

Mr Matteo Giulio Luigi Brambilla

Dominion 2 Solar Park (Pty) Ltd

Postnet Suite 150

Private Bag X3

Roggebaai

CAPE TOWN

8012

Telephone Number: (021) 418 3940

Cell phone Number: (072) 212 1531

Email Address: m.logan@redrocket.energy

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p>	<p>The Applicant proposed to establish a PVSEF which will use an existing substation to by-pass and convert the electricity produced by the PVSEF into an Overhead Powerline Route (OHPL). The proposed OHPL will be permitted by means of a separate environmental permitting process should this be required.</p> <p>This activity is triggered due to the Back-to-Back Substations (including the facility substation Eskom collector station with feeder bays) with a contracted capacity of up to 132kV based on Eskom requirements.</p>
<p><u>Listing Notice 1, Item 12</u></p> <p><i>The development of</i></p> <p><i>(ii) Infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</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>Dominion 2 Solar Park falls within the 500 m zone of regulation (ZoR) of the delineated watercourse, authorisation in terms of GN509 of 2016 as it related to Sections 21(c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998) will be required from the Department of Water and Sanitation (DWS). With guidance from the freshwater specialist and the relevant authorisation obtained from the competent authority, development within the ZoR in accordance with GN509 as it relates to the NWA is considered acceptable and possibly authorised by means of a General Authorisation (GA).</p> <p>Although no activities will take place within the watercourse or associated scientifically derived buffer, portions of the Bi facial photovoltaic panels fall within the NEMA 32m ZoR.</p>

<p><u>Listing Notice 1, Item 14</u></p> <p><i>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.</i></p>	<p>The development of the Solar PV Energy Facility will require the construction and operation of facilities and infrastructure for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the onsite substation and PV trackers where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters.</p>
<p><u>Listing Notice 1, Item 28</u></p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development – (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p>	<p>Dominion 2 Solar Park will have a physical footprint exceeding 1ha and occurs outside an urban area and within an area currently zoned for agriculture.</p>
<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 Applicant has proposed to establish a PVSEF of up to 160MW, which will span over an area of approximately 300ha. The project site is located within a REDz.</p>
<p><u>Listing Notice 2, Item 4</u></p> <p><i>The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.</i></p>	<p>The development of the Solar PV Energy Facility will require the construction and operation of facilities and infrastructure for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants).</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 total maximum project footprint is 230 hectares including the PV facility and infrastructure such as roads for each PV facility. As a result, more than 20 ha</p>

	<p>of indigenous vegetation would be removed for the construction of the proposed Dominion 1 Solar Park.</p>
<p><u>Listing Notice 3, Item 4</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</i></p> <p><i>h. North West</i></p> <p><i>iv. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority.</i></p>	<p>An access road wider than 6m with a road reserve less than 13.5m in some sections may be constructed for internal movement within the PV Facilities.</p> <p>According to the Freshwater Impact Assessment (Appendix B) of the BA Report, according to North West Biodiversity Sector Plan (2015), the proposed Solar PV project sites, A small southern portion of Dominion 1 Solar Park and features within the eastern and southern portions of the investigation area are defined as Category 1 and 2 ESAs. These features correspond to those features identified by the NBA (2018) database. ESAs are terrestrial and aquatic areas that are not essential for meeting biodiversity representation targets (thresholds), but which nevertheless play an important role in supporting the ecological functioning of Critical Biodiversity Areas (CBAs) and/or in delivering ecosystem services that support socio-economic development; such as water provision, flood mitigation or carbon sequestration. The degree or extent of restriction on land use and resource use in these areas may be lower than that recommended for CBAs.</p>
<p><u>Listing Notice 3, Item 10</u></p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p><i>h. North West.</i></p>	<p>The development of the Solar PV Energy Facility will require the construction and operation of facilities and infrastructure for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the onsite substation and PV trackers where such storage will occur inside containers with a combined capacity exceeding 500 cubic meters.</p>

<p><i>iv. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</i></p>	<p>According to the Freshwater Impact Assessment (Appendix B) of the BA Report, according to North West Biodiversity Sector Plan (2015), the proposed Solar PV project sites, A small southern portion of Dominion 1 Solar Park and features within the eastern and southern portions of the investigation area are defined as Category 1 and 2 ESAs. These features correspond to those features identified by the NBA (2018) database. ESAs are terrestrial and aquatic areas that are not essential for meeting biodiversity representation targets (thresholds), but which nevertheless play an important role in supporting the ecological functioning of Critical Biodiversity Areas (CBAs) and/or in delivering ecosystem services that support socio-economic development, such as water provision, flood mitigation or carbon sequestration. The degree or extent of restriction on land use and resource use in these areas may be lower than that recommended for CBAs.</p>
<p><u>Listing Notice 3, Item 12</u> <i>The clearance of an area of 300 square metres or more of indigenous vegetation</i> <i>h. North West</i> <i>vi within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>More than 300m² of indigenous vegetation is expected to be cleared.</p> <p>Dominion 2 Solar Park falls within the 500 m zone of regulation (ZoR) of the delineated watercourse, authorisation in terms of GN509 of 2016 as it related to Sections 21(c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998) will be required from the Department of Water and Sanitation (DWS). With guidance from the freshwater specialist and the relevant authorisation obtained from the competent authority, development within the ZoR in accordance with GN509 as it relates to the NWA is considered acceptable and potentially authorised by means of a General Authorisation (GA). Development of the</p>

	<p>proposed activity will potentially occur within 100m from the edge of a watercourse</p>
<p><u>Listing Notice 3, Item 14</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;</i></p> <p><i>where such development occurs-</i></p> <p><i>(b) within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>h. North West</i></p> <p><i>iv. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority.</i></p>	<p>The physical footprint of the development will exceed 10m². The development is located in close proximity to watercourses. no activities will take place within the watercourse or associated scientifically derived buffer, portions of the Bi facial photovoltaic panels fall within the NEMA 32m ZoR.</p> <p>According to the Freshwater Impact Assessment (Appendix B) of the BA Report, according to North West Biodiversity Sector Plan (2015), the proposed Solar PV project sites, A small southern portion of Dominion 1 Solar Park and features within the eastern and southern portions of the investigation area are defined as Category 1 and 2 ESAs. These features correspond to those features identified by the NBA (2013) database. ESAs are terrestrial and aquatic areas that are not essential for meeting biodiversity representation targets (thresholds), but which nevertheless play an important role in supporting the ecological functioning of Critical Biodiversity Areas (CBAs) and/or in delivering ecosystem services that support socio-economic development, such as water provision, flood mitigation or carbon sequestration. The degree or extent of restriction on land use and resource use in these areas may be lower than that recommended for CBAs.</p>
<p><u>Listing Notice 3, Item 18</u></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>h. North West.</i></p>	<p>Existing roads will be widened by more than 4m within the project footprint. Access roads will be approximately 16km in length and 8m wide.</p> <p>Dominion Solar Park falls within the 500 m zone of regulation (ZoR) of the delineated watercourse,</p>

16.

<p><i>x. Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>authorisation in terms of GN509 of 2016 as it related to Sections 21(c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998) will be required from the Department of Water and Sanitation (DWS). With guidance from the freshwater specialist and the relevant authorisation obtained from the competent authority, development within the ZoR in accordance with GN509 as it relates to the NWA is considered acceptable and potentially authorised by means of a General Authorisation (GA). Development of the proposed activity will potentially occur within 100m from the edge of a watercourse.</p>
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as described in the Basic Assessment Report (BAR) dated January 2023 at:

SG 21 Code

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Farm Name: Portion 8 of Remainder of Farm Wolverand 425

Coordinates proposed Dominion 2 Solar Park site:

	Latitude	Longitude
North west corner:	26°53'26.99"S	26°30'48.16"E
North east corner:	26°53'18.53"S	26°31'27.98"E
Middle point:	26°54'12.31"S	26°31'9.20"E
South eastern corner:	26°55'1.41"S	26°31'30.60"E
South western corner:	26°55'2.15"S	26°30'51.85"E

Coordinate of the associated infrastructure:

Back-to-Back Substation		
	Latitude	Longitude
left bottom corner	26°53'25.05"S	26°31'22.52"E
Left top corner	26°53'22.00"S	26°31'21.71"E
Right top corner	26°53'20.91"S	26°31'26.89"E
Right bottom corner	26°53'24.01"S	26°31'27.67"E
Middle point	26°53'23.07"S	26°31'24.66"E
BESS		
	Latitude	Longitude
left bottom corner	26°53'28.49"S	26°31'5.75"E
left top corner	26°53'25.62"S	26°31'4.98"E
right top corner	26°53'22.68"S	26°31'18.70"E
right bottom corner	26°53'25.57"S	26°31'19.59"E
middle point	26°53'25.62"S	26°31'12.05"E
O&M Building		
	Latitude	Longitude
Left bottom corner	26°53'25.54"S	26°31'20.27"E
Left top corner	26°53'24.61"S	26°31'20.05"E
Right top corner	26°53'24.30"S	26°31'21.65"E
Right bottom corner	26°53'25.19"S	26°31'21.88"E
Middle point	26°53'24.93"S	26°31'20.94"E
Access road		
	Latitude	Longitude
Start	26°53'35.25"S	26°30'16.88"E
Middle	26°54'18.34"S	26°30'18.30"E
Bend	26°55'1.67"S	26°30'19.75"E
End	26°55'1.74"S	26°30'51.33"E

- for the proposed development of up to 160MWp of Dominion 2 Solar Park and associated infrastructure located near Klerksdorp, North West Province, hereafter referred to as "the property".

The proposed Dominion 2 Solar Park will have a contracted capacity of up to 160MWp and will make use of Photovoltaic (PV) technology and will include:

- PV Cells, Modules and Arrays.
- Inverters.
- Support structures.
- Battery Energy Storage System.
- Back to Back Substation (Including facility substation, Eskom collector station with feeder bays).
- O&M building and construction/laydown areas.
- Access road.

Technical details of the PV:

Site Details	
INFRASTRUCTURE	DETAILS
Size of the property.	<u>PV Site:</u> Farm Wolverand RE/18/425, City of Matlosana Local Municipality Dr Kenneth Kaunda District Municipality <i>North West Province.</i> T0IP0000000042500008 <u>Access Road:</u> 8m wide roads (16 km)
Size of the study area	approximately 246ha
Technology Details	
INFRASTRUCTURE	DETAILS
Capacity of the facility	contracted capacity of up to 160MWp
PV Modules	300Ha Tier 1 bi-facial, single axis Trackers Max Height: Up to 6m
Back to Back Substation (Including facility substation, Eskom collector station with feeder bays)	Substation with a contracted capacity up to 132kV based on Eskom requirements
Storage Technology (BESS)	Storage Capacity (800MWh)
Paved areas	2 200 m ²
O&M building and construction/laydown areas	1 500 m ² Within the Infrastructure area

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Preferred Layout (Facility Layout 1) for the proposed development of 160MWp of Dominion 2 Solar Park and associated infrastructure located near Klerksdorp, North West 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 may 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 affected. 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.

Notification of authorisation and right to appeal

9. 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.

10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request;
and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity shall 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

12. The site layout plans as attached as Appendix A (Site maps) of the BAR dated January 2023 is approved.
13. The Environmental Management Programme (EMPr) and generic EMPr submitted as part of the BAR dated January 2023 is approved and must be implemented and adhered to.
14. 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.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIA be discovered.

Frequency and process of updating the EMPr

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 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.

18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. 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.
20. 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.
21. 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

22. 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.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. 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

23. 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.
24. 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.
25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
26. 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.
27. 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.
28. 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

29. 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

30. 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

31. 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


32. 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.
33. Drifts fences/silt curtains must be placed along the 24 m or 32 m construction and operational phase buffers (whichever is decided upon) to mitigate against potential sediment deposition and erosion control.
34. All burial grounds and graves should be retained and avoided with a buffer zone of 50m as per SAHRA guidelines. If this is not possible, the graves could be relocated after completion of a detailed grave relocation process, that includes a thorough stakeholder engagement component, adhering to the requirements of s36 of the NHRA and its regulations as well as the National Health Act and its regulations.
35. D1-006 to be avoided If it needs to be relocated it must be done with a permit from the North West provincial Heritage Authority (PHRA-NW) in accordance with S34 of the NHRA.
36. Monitoring during site clearing in a 20- meter radius from the identified archaeological sites through the implementing of an archaeological watching brief.
37. If fossil remains or trace fossils are discovered during any phase of construction, either on the surface or exposed by excavations the Environmental Control Officer (ECO) in charge of these developments must report to SAHRA (Contact details: South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: www.sahra.org.za) so that mitigation can be carry out by a palaeontologist.
38. A botanist must be appointed to perform a conduct Search and Rescue of the project are to identify sensitive plant species and assist in identifying the areas that require protection.
39. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
40. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
41. The holder of the authorisation is required to inform the North West Department: Economic Development, Environment, Conservation and Tourism and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
42. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated January 2023 must be implemented to reduce the risk of erosion and the invasion of alien species.

43. 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.
44. 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. 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).
45. Waste, which is not authorised for disposal on site as part of the approved development, must be dealt with according to relevant legislation or the Department's policies and practices.
46. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
47. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.

General

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 48.1. at the site of the authorised activity;
 - 48.2. to anyone on request; and
 - 48.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
49. 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: 29/03/2023.



Ms Milicent Solomons

Acting 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 application form received on 14 November 2022.
- b) The information contained in the BAR dated January 2023.
- c) The comments received from North West Department of Economic Development, Environment, Conservation and Tourism, Department of Forestry, Fisheries and the Environment Biodiversity Conservation, and interested and affected parties as included in the BAR dated January 2023.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2023 and as appears below:

Title	Prepared by	Date
Soil, Land use and Land Capability Assessment	Zimpane Research collaborative	January 2023
Terrestrial Biodiversity Assessment	Scientific Terrestrial Services	January 2023
Avifaunal Impact Assessment	Enviro	January 2023
Freshwater Assessment	SAS Environmental Services	January 2023
Visual Impact Assessment	SAS Environmental Services	January 2023
Heritage Impact Assessment	PGS Heritage	October 2022
Traffic Impact Assessment	Innovative Transport Solutions	January 2023
Noise Impact Assessment	dBAcoustics	October 2022
Social Impact Assessment	Tony Barbour Environmental Consulting	November 2022
Climate Impact Assessment	AIRSHED Planning Professionals	October 2022
EMPr	Terramanzi Group (Pty) Ltd	January 2023

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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 BAR dated January 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed PV energy facility.
- e) The methodology used in assessing the potential impacts identified in the BAR dated January 2023 and the specialist studies have been adequately indicated.
- f) 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 January 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 January 2023 is deemed to be accurate and credible.
- d) The findings of the site inspection held on BAR dated January 2023.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) 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.



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
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Ms. Milicent Solomons
Director: Priority Infrastructure Projects

Dear Ms. Solomons

APPOINTMENT AS CHIEF DIRECTOR: INTERGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 01 MARCH UNTIL 31 MARCH 2023

I hereby inform you that I have decided to appoint you as Acting Chief Director: Intergrated Environmental Authorisations from 01 March until 31 March 2023.

All correspondence and other documents that are usually signed by the Chief Director: Intergrated Environmental Authorisations during must be signed under Acting Chief Director: Intergrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1998), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours, Sincerely

Ms Devynagie Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



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

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT

appointment as Acting Chief Director:
Intergrated Environmental Authorisations

Signed:

Date: 27/02/2023