

15 November 2017

To whom it may concern

THE GRANTING OF THE ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983 (GN R.327, AS AMENDED): *The construction of the 5MW Keren Energy Kakamas Solar Photovoltaic Energy Facility and Associated Infrastructure on Erf 1654 Kakamas, within the Kail Garib Local Municipality, Northern Cape Province.*

Outcome: ENVIRONMENTAL AUTHORISATION GRANTED

Date of decision: 2017-11-05

Date of Issue: 2017-11-05

DEA Ref: 14/12/16/3/3/1/1755

EnviroAfrica, on behalf of Keren Energy Kakamas (Pty) Ltd, would like to inform you that an Environmental Authorisation has been issued on the 5th November 2017 for the construction of the 5MW Keren Energy Kakamas Solar Photovoltaic Energy Facility and Associated Infrastructure on Erf 1654 Kakamas, within the Kail Garib Local Municipality, Northern Cape Province.

A copy of the Environmental Authorisation is available on the EnviroAfrica website: <http://enviroafrica.co.za/> and via email, if requested.

Attached, please find a copy of:

- the reasons for the decision in Annexure 1;

Also note that in terms of Chapter 7 of Environmental Impact Assessment Regulations, all registered interested & affected parties have the right to appeal the decision. Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal minister, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on 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.

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

Mr Z Hassam, Director: Appeals and Legal Review,

By email: appealsdirector@environment.gov.za

By hand: Environment House

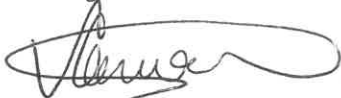
473 Steve Biko
Arcadia, Pretoria
0083

By post: Private bag x447

Pretoria
0001

If you need any additional information please call Bernard or Vivienne on 021-851 1616.

Kind regards



Vivienne Thomson

EnviroAfrica cc





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/1/1755

Enquiries: Mthodi Mogorosi

Telephone: 012-399-9388 E-mail: mmogorosi@environment.gov.za

Mr C W Janse van Rensburg
Keren Energy Kakamas (Pty) Ltd
P.O. Box 73
SOMERSET MALL
7137

Tel No: 082 631 7496
E-mail: weyers@kerenenergy.com

PER MAIL / E-MAIL

Dear Mr Janse van Rensburg

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983: CONSTRUCTION OF THE 5MW KEREN ENERGY KAKAMAS SOLAR PHOTOVOLTAIC ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF 1654 KAKAMAS, WITHIN THE KAI GARIB LOCAL MUNICIPALITY, 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 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

M.S

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, 1998, 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 appealsdirector@environment.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 9/11/2018

CC:	Mr B. de Witt	Enviro Africa CC	Tel: 021-851-1616	Email: admin@enviroafrica.co.za
	Ms E. Botes	Northern Cape Department of Environment and Nature Conservation	Tel: 053-807-7300	Email: eia@half.ncape.gov.za
	Mr J. McKay	Kaif Garib Local Municipality	Tel: 054-461-6400	Email: admin@kaigarib.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014

Construction of the 5MW Keren Energy Kakamas Solar Photovoltaic Energy Facility and associated Infrastructure on Erf 1654 Kakamas, within the Kail Garib Local Municipality, Northern Cape Province

ZF Mgcawu District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/1755</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>KEREN ENERGY KAKAMAS (PTY) LTD</i>
Location of activity:	<i>NORTHERN CAPE PROVINCE: On Erf 1654 Kakamas, within the Kail Garib Local Municipality</i>

This environmental 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.

M.S

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, 1998 and the EIA regulations.

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, 1998 (Act No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

KEREN ENERGY KAKAMAS (PTY) LTD

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

with the following contact details –

Mr CW Janse van Rensburg
Keren Energy Kakamas (Pty) Ltd
PO Box 73
SOMERSET MALL
7137

Cell: 082 631 7496

E-mail: weyers@kerenenergy.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983):

Listed activities	Activity/Project description
<p><u>GN R. 983 Item 1:</u> <i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where—</i> <i>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare.</i></p>	<p>The solar facility will be developed on a 20ha site and will supply 5MW of electricity to the national grid. The solar facility's actual contracted electricity generation capacity will be 5.75MW.</p>
<p><u>GN R. 983 Item 12:</u> <i>The development of -</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs –</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	<p>Two watercourses (intermittent natural drainage lines) lie approximately on the east and west boundaries of the solar facility site. There are also various non-perennial or dry watercourses or drainage lines, criss-crossing the site.</p>
<p><u>GN R. 983 Item 27:</u> <i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i> <i>(i) the undertaking of a linear activity</i></p>	<p>The development involves the clearance of part of the 20ha site (i.e. less than 20 ha will be cleared).</p>

as described in the Basic Assessment Report (BAR) dated July 2017 at:

Farm Name: Kakamas Erf. 1654

21 Digit SG code:

C	0	2	8	0	0	0	0	0	0	0	0	1	6	5	4	0	0	0	0	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	maximisation of solar energy harvesting for conversion to electrical energy. The tallest structure of the development will be the 9m high overhead powerlines to evacuate power to the nearby Eskom substation.
Development footprint	The development footprint is an area of 20ha. Actual plant layout will occupy 10ha within the 20ha site with permanent office and construction laydown areas.
Height of PV panels	The PV tables will be raised 500mm above ground level and have single axis tracking systems allowing maximisation of solar energy harvesting for conversion to electrical energy.
Area of PV Array	10ha
Number of inverters required	6
Area occupied by inverter / transformer stations / substations	3 x 60m ² inverter / transformer stations = 180m ²
Capacity of on-site substation	N/A (evacuation to existing nearby Eskom sub-station)
Area occupied by both permanent and construction laydown areas	<1000m ² within the 20ha site
Area occupied by buildings	420m ²
Length of internal roads	< 3km (includes perimeter firebreak/access)
Width of internal roads	Main perimeter firebreak access on site = 4m (but not wider than 8m); Internal access roads on site = 3,5m
Proximity to grid connection	Approximately 1680m
Height of fencing	2,4m
Type of fencing	Diamond mesh

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 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, 1998 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 development layout plan titled "Keren Energy Kakamas (Pty) Ltd Site Layout", dated 20 April 2016 submitted as part of the final Basic Assessment Report (BAR) is approved.
14. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to during all phases of the project. It must be seen as a dynamic document and must be included in all contract documentation for all phases of the development.

17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.
19. 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 GN R.982. 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.
20. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

Monitoring

21. The holder of the authorisation must appoint an experienced independent 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.
 - 21.1. The ECO must be appointed before commencement of any authorised activities.
 - 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
 - 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 21.4. 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.

Operation of the activity

29. 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

30. 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

31. No activities, which require a water use authorisation, must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
32. A 32m setback must be maintained from the two main watercourses on the site (as depicted in Annexure 2). They must be treated as "no-go" areas and appropriately demarcated as such. No facility infrastructures / structures are to be erected in these areas. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.
33. No discharge of effluents or polluted water must be allowed into any drainage lines, watercourses and wetland areas.
34. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
35. The facility footprint must be scanned by a qualified botanist prior to construction, in order to identify the plants listed for Search & Rescue. The botanist must advise on the best way for search & rescue operations to be implemented.
36. 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.
37. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
38. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
-

General

50. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-

50.1. at the site of the authorised activity;

50.2. to anyone on request; and

50.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.

51. 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: 09/11/2017



Mr Sabelo Malaza

Chief Director, Integrated Environmental Authorisations

Department of Environmental Affairs

- d) The methodology used in assessing the potential impacts identified in the BAR dated July 2017 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 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 July 2017 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) According to the independent environmental assessment practitioner, the information contained in the BAR dated July 2017 is accurate and credible.
- 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.