



forestry, fisheries & the environment

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

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

DFFE Reference: 14/12/16/3/3/2/2175

Enquiries: Ms. Mathodi Mogorosi

Telephone: (012) 399 9388 **E-mail:** MMogorosi@dff.gov.za

Mr Armandt Andre Joubert
Votalia South Africa (Pty) Ltd
30th Floor, The Box.
9 Riebeek Street
CAPE TOWN
8001

Cell phone Number: (071) 872 7799
Email Address: a.joubert@votalia.com

PER EMAIL / MAIL

Dear Mr Joubert

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE UP TO 120MW KIARA PV5 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSBOTLA LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE

With reference to the above application, please be advised that the Department has decided to partially grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

Please be advised that the 132kV powerline as included in the activity description for Activity 11(i) of Listing Notice 1 in the final Environmental Impact Assessment Report (EIAR) is not authorised as part of this decision for the following reasons:

- 1. The 132kV powerline which is mentioned in the activity description is not included as part of project components listed on Page 34 under Section 2.4 of the final EIAR.*
- 2. The final report submitted does not contain a generic EMPr for the powerline nor does it make any reference to the assessment conducted for the said powerline, the length, and the route of the powerline.*
- 3. No coordinates were included in the final report for the powerline as was done for the other associated infrastructure.*
- 4. Page 34 of the final EIAR (Grid Connection), states that the grid connection infrastructure will be assessed as part of a separate EIA process.*
- 5. The Kiara PV5 layout plan as contained on Page 33 of the final EIAR does not include a 132kV underground or overhead powerline.*

As such the Department is not in a position to make an informed decision regarding the impacts associated with the powerline.

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.

M.S

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 the 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@dfpe.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@dfpe.gov.za.

Yours faithfully



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

Date: 18/07/2023

cc:	Ms. Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
	Ms. Oura Skosana	Dept of Economic Dev, Environment, Conservation & Tourism	Email: oskosana@nwpg.gov.za



forestry, fisheries & the environment

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

Environmental Authorisation

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

The development of the up to 120MW Kiara PV5 Photovoltaic Solar Energy Facility and its associated infrastructure near Lichtenburg within the Ditsobotla Local Municipality in the North West Province
Ngaka Modiri Molema District Municipality

Authorisation register number:	14/12/16/3/3/2/2175
Last amended:	First issue
Holder of authorisation:	Voltalia South Africa (Pty) Ltd
Location of activity:	Portion 2 of the Farm Hollaagte No. 8 Remaining Extent of the Farm Hollaagte No. 8 Ditsobotla Local Municipality Ngaka Modiri Molema District Municipality North West Province

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

MS

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the 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 –

Voltalia South Africa (Pty) Ltd

with the following contact details –

Mr. Armandt Andre Joubert

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9 Riebeek Street

CAPE TOWN

8001

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Email Address: a.joubert@voltalia.com

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 site is currently zoned as agriculture and falls outside the urban area. A facility substation.</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>(a) within a watercourse; or</i></p> <p><i>(c) within 32 metres of a watercourse."</i></p>	<p>The construction and operation of the PV facility and associated infrastructure will occur within watercourses, or within 32m of watercourses. The infrastructure will have a physical footprint of more than 100 square metres.</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 PV 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 on-site substation 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 24</u></p> <p><i>"The development of a road-</i></p> <p><i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>Access roads will be developed during the construction phase of the project. Internal roads will be ~ 8m wide with a road reserve of ~12m.</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:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>The total area to be developed for the PV facility and associated infrastructure is greater than 1ha and occurs outside an urban area in an area currently zoned for agriculture. The total area of development for Kiara PV5 development is ~187ha.</p>
<p><u>Listing Notice 1, Item 56</u></p> <p><i>"The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre-</i></p> <p><i>(ii) where no reserve exists, where the existing road is wider than 8 metres."</i></p>	<p>Existing roads may require widening of up to 6m and/or lengthening by more than 1km, to accommodate the movement of heavy vehicles and cable trenching activities. Internal roads will be ~ 8m wide with a road reserve of ~12m.</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 proposed PV facility will have a capacity that exceeds 20MW. The Kiara PV5 Facility will have a contracted capacity of up to 120MW.</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 development of the PV facility will require the clearance of an area in excess of 20ha for the development of infrastructure. This is likely to include the clearance of indigenous vegetation. The total area of development for Kiara PV5 development is ~187ha.</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>(b) in the 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 development of the PV facility and associated infrastructures will require the development of roads wider than 4m within ESA areas. Internal roads will be ~ 8m wide with a road reserve of ~12m.</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) in the 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 development of the PV facility and associated infrastructures will require the storage and handling of a dangerous good with a capacity of 80 cubic meters within ESA areas.</p>
<p><u>Listing Notice 3, Item 12</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation;</i></p> <p><i>(h) in the 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 development of the PV facility and associated infrastructures will require the clearance of more than 300 square meters of indigenous vegetation within areas classified as ESAs. The total area of development for Kiara PV5 development is ~187ha.</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>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>(h) in the North West;</i></p> <p><i>(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority."</i></p>	<p>The development of the PV facility will require the establishment of infrastructure with a physical footprint exceeding 10m² within 32m of the watercourses and within areas classified as ESAs.</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) in the North West;</i></p> <p><i>(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority."</i></p>	<p>The development of the PV facility and associated infrastructures may require the widening of a road by more than 4 metres, outside urban areas and within areas classified as ESAs. Internal roads will be ~ 8m wide with a road reserve of ~12m.</p>

as described in the Environmental Impact Assessment Report (EIAR) dated March 2023 at:

SG 21 Code

Farm names & Portion numbers	SG 21 Digit Code
Portion 2 of the Farm Hollaagte No. 8 Remaining Extent of the Farm Hollaagte No. 8)	TOIP00000000000800002

Coordinates

Site Coordinates (four corner coordinate points of the project site)	Latitude:	Longitude:
	26°01'23.47"S	26°16'44.90"E
	26°01'18.77"S	26°17'20.55"E
	26°01'53.58"S	26°17'33.64"E
Co-ordinates (Substation)	26° 02'16.84"S	26°16'57.37"E
	Latitude:	Longitude:
	26° 01'13.05"S	26°15'49.81"E
	26° 01'11.21"S	26°15'53.29"E
Co-ordinates (BESS)	26° 01'13.87"S	26°15'54.29"E
	26°01'15.55"S	26°15'50.85"E
	Latitude:	Longitude:
	26°01'16.02"S	26°15'51.17"E
Coordinates (Access Road)	26° 01'14.49"S	26°15'53.95"E
	26°01'16.56"S	26°15'55.15"E
	26°01'17.91"S	26°15'52.27"E
	Latitude:	Longitude:
Coordinates (Access Road)	Start:	26° 01'56.69"S 26°17'36.02"E
	Middle:	26°01'11.80"S 26°15'55.23"E
	End:	26°01'22.01"S 26°16'49.24"E

- for the development of the up to 120MW Kiara PV5 Photovoltaic Solar Energy Facility and its associated infrastructure near Lichtenburg, within the Ditsobotla Local Municipality in the North West Province, hereafter referred to as "the property".

The main infrastructure associated with the facility includes the following:

- Solar PV array comprising PV modules and mounting structures;
- Inverters and transformers;
- Battery Energy Storage System (BESS);
- Site and internal access roads (up to 8m wide);

- Site offices and maintenance buildings, including workshop areas for maintenance and storage;
- Temporary and permanent laydown area; and
- Grid connection solution will include:
 - Facility Substation.

Below is a table for the details or dimensions of the up to 120MW Kiara PV5 Photovoltaic Solar Energy Facility and associated infrastructure:

Component	Description/dimensions
Panel Height	Up to 5m from ground level
Number of Panels	~183 720
Technology	Use of fixed-tilt, single-axis tracking, and/or double-axis tracking PV technology. Monofacial or bifacial panels are both considered.
Battery Energy Storage System (BESS)	BESS area: ~8m ² Maximum Volume: 1740m ³
Other infrastructures	Operations building – 20m x 10m = 200m ² Workshop – 15m x 10m = 150m ² Stores - 15m x 10m = 150m ²
Area occupied by laydown area	Temporary Laydown Area: 220m x 100m
Contracted Capacity	Up to 120MW
Area occupied by the solar array	177m ²
Area occupied by the substations	Facility substation: Up to 1ha
Access and internal roads	Wherever possible, existing access roads will be utilised to access the project site and development area. It is unlikely that access roads will need to be upgraded as part of the proposed development. Main access road to the project site will be via the existing R52 gravel road. Internal access roads (gravel) will have a length of 4,5km and up to 6m in width will be required to access the PV facility.
Grid connection	The 33/132kV on-site substation.
Temporary infrastructure	Temporary infrastructure, including laydown areas, hardstand areas, and a concrete batching plant, will be required during the construction phase. All areas affected by temporary infrastructure will be rehabilitated following the

	completion of the construction phase, where it is not required for the operation phase.
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Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the up to 120MW Kiara PV5 Photovoltaic Solar Energy Facility and its associated infrastructure near Lichtenburg, within Ward 16 of the Ditsobotla Local Municipality in the Ngaka Modiri Molema District Municipality in the North West Province, as per the geographic coordinates cited in the table above is hereby approved.
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 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 transfer or change of ownership rights of this environmental authorisation.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If the commencement of the activity does not occur within that period, the authorisation lapses, and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (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. A final site layout plan(s) for the PV facility and grid connection infrastructure, as determined by the detailed engineering phase and micro siting, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval, prior to the commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map(s) must indicate the following:
 - 12.1. The position of the solar PV panels;
 - 12.2. The on-site substation station;

- 12.3. Battery Energy Storage Facility;
 - 12.4. Access road to be obtained via the R52 gravel road and internal site road network;
 - 12.5. All associated infrastructure;
 - 12.6. All existing infrastructure on the site, especially roads;
 - 12.7. All sensitive features; and
 - 12.8. All "no-go" and buffer areas.
13. The generic Environmental Management Programme (EMPr) for the substation submitted as part of the final EIAR, is approved. The final site layout plan of the on-site substation must be appended to Part C of the approved generic EMPr.
 14. The EMPr for the PV facility, submitted as part of the EIAR is not approved and must be amended to include measures as dictated by the final site layout map(s), and the provisions of this environmental authorisation. The EMPr must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to the commencement of the activity.
 15. The EMPr amendment must include the following:
 - 15.1. The requirements and conditions of this environmental authorisation;
 - 15.2. All recommendations and mitigation measures recorded in the EIAR, and the specialist reports as included in the EIAR dated March 2023;
 - 15.3. A re-vegetation and habitat rehabilitation plan. Restoration must be undertaken as soon as possible after the completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats;
 - 15.4. A traffic management plan for the site access road to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimise impacts on local commuters e.g., limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations, including farming operations;
 - 15.5. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion;
 - 15.6. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use, or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or stormwater systems;
 - 15.7. A fire management plan; and

- 15.8. The final site layout map(s).
16. Once approved, the EMPr must be implemented and strictly adhered to. It shall be seen as a dynamic document and shall be included in all contract documentation for the development when approved.
17. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
18. 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

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
22. 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.
23. The holder of the authorisation must apply for an amendment of an EMPr if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

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

Recording and reporting to the Department

25. All documentation e.g., audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
26. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
27. The frequency of auditing and submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
28. The holder of the authorisation must, in addition, submit 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.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor, and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
30. Records relating to monitoring and auditing must be kept on-site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

31. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.
32. The holder of an Environmental Authorisation must notify the Competent Authority of any alienation, transfer, or change of ownership rights of the property on which the activity is to take place.

Operation of the activity

33. 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

34. 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

35. 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.
36. Vegetation clearing must be limited to the required footprint for construction works. 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 Department for the removal or destruction of indigenous, protected, or endangered plant or animal species (if any) and a copy of such permit/s must be submitted to the Department for record keeping.
38. A botanist must be appointed to perform a final walkthrough of the facility to identify areas that require protection and to identify species of conservation concern that can be translocated and/or require permits. The findings of the final walkthrough must inform the final site layout plan in condition 12 above.
39. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.

40. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell, and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are uncovered during construction, work in the immediate area must be halted, SAHRA must be alerted immediately, and a professional archaeologist or palaeontologist (depending on the nature of the finds) must be contacted as soon as possible to inspect the findings.
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 stormwater run-off.
42. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 43.1. at the site of the authorised activity;
 - 43.2. to anyone on request; and
 - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible websites.
44. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of the authorisation.

Date of Environmental Authorisation: 18/07/2023



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 24 June 2022.
- b) The information contained in the final EIAR dated March 2023.
- c) The comments received from interested and affected parties as included in the EIAR dated March 2023.
- d) Mitigation measures as proposed in the EIAR and the EMPr dated March 2023.
- e) The information contained in the specialist studies contained within the appendices of the EIAR dated March 2023 and as appears below:

Title	Prepared by	Date
Ecology & Wetland Impact Assessment	DPR Ecologists & Environmental Services	September 2022
Avifauna Impact Assessment	The Biodiversity Company	December 2022
Heritage & Palaeontology Impact Assessment	CTS Heritage	June 2022
Soil & Agriculture Impact Statement	TerraAfrica Consult cc	November 2022
Visual Impact Assessment	LOGIS	August 2022
Social Impact Assessment	Savannah Environmental (Pty) Ltd	August 2022
Civil Aviation Compliance Statement	Savannah Environmental (Pty) Ltd	Undated
EMPr	Savannah Environmental (Pty) Ltd	March 2023

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the response to the growing electricity demand, fuelled by increasing economic growth and social development and placing increasing pressure on South Africa's existing power generation capacity. Coupled with this, is the growing awareness of environmentally

responsible development, the impacts of climate change, and the need for sustainable development. In addition, the primary rationale for the proposed solar photovoltaic (PV) facility is to add new generation capacity from renewable energy to the national electricity mix and to aid in achieving the targeted goal of all new installed generating capacity being derived from renewable energy forms, as targeted by DMRE.

- c) The EIAR dated March 2023 identified all legislations and guidelines that have been considered in the preparation of the EIAR.
- d) The location of the proposed up to 120MW Kiara PV5 Photovoltaic Solar Energy Facility and associated infrastructure.
- e) The methodology used in assessing the potential impacts identified in the EIAR dated March 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 EIAR dated March 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAR dated March 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP measures for the pre-construction, construction, and rehabilitation phases of the development were proposed and included in the EIAR and will be implemented to manage the identified environmental impacts during the construction phase.

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

Annexure 2: Locality Map

