



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

DEA Reference: 14/12/16/3/3/2/2371

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Ms. Mercia Grimbeek
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7700

Telephone Number: 021 207 2185
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PER E-MAIL / MAIL.

Dear Ms Grimbeek

RE-ISSUE OF THE ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE KORAQUA IV SOLAR ENERGY FACILITY (SEF) AND ASSOCIATED INFRASTRUCTURE WITHIN THE TSANTSABANE LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

With reference to the above application and the Appeal Decision LSA245997, LSA245999, LSA246000, LSA246001 dated 07 October 2024, please be advised that the Department has decided to re-issue authorisation as per the Appeal Decision as indicated above. The Re-Issue of the Environmental Authorisation (EA) and reasons for the decision are attached herewith.

This authorisation is suspensive on the compliance with the conditions 31-33; failure to comply with these conditions will result in the environmental authorisation being considered null and void.

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 14 (fourteen) days of the date of the decision.

In terms of the Promotion of Administrative Justice Act, 2000 (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.



Batho pele- putting people first



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.

MS

Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Competent Authority should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Competent Authority accountable should the Competent Authority abuses or compromises your personal information in any way.

Please note, this decision must be read in conjunction with the Appeal Decision LSA245997, LSA245999, LSA246000, LSA246001 dated 07 October 2024, issued by the Honourable Minister.

Yours faithfully,



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

Date: 02/12/2024

| | | | |
|----|-------------------------|--------------------------------|---------------------------------|
| CC | Jana de Jager | Jones & Wagener Consultants | Email: jana@jaws.co.za |
| | Olebile Seshupo | Northern Cape DAEARD&LR | Email: olebileseshupo@gmail.com |
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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 THE KORAQUA IV SOLAR ENERGY FACILITY (SEF) AND ASSOCIATED
INFRASTRUCTURE WITHIN THE TSANTSABANE LOCAL MUNICIPALITY IN THE NORTHERN CAPE
PROVINCE**

ZF MGCAWU DISTRICT MUNICIPALITY

| | |
|---------------------------------------|--|
| Authorisation register number: | 14/12/16/3/3/2/2371 |
| Last amended: | Second issue |
| Holder of authorisation: | <i>Koraqua IV Solar (RF) Pty Ltd</i> |
| <i>Location of activity:</i> | <i>Located on the Remainder of Portion 0 of the Farm No. 470, within Ward 1 of the Tsantsabane Local Municipality near Postmasburg Town along the R385 and D910 , in the Northern Cape 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.

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 NEMA 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 NEMA EIA Regulations, 2014, as amended, the Department hereby authorises –

KORAQUA IV SOLAR (RF) PTY LTD

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

with the following contact details –

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Koraqua IV Solar (RF) Pty Ltd

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183 Main Road

Rondebosch

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7700.

Tel number: +27 21 207 2185.

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

| Activity numbers | Activity description |
|--|--|
| <p><u>Listing Notice 1, Item 11:</u></p> <p>The development of facilities or infrastructure for the transmission and distribution of electricity—</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p> | <p>The facility is located outside urban areas. Furthermore, internal distribution electrical infrastructure required to connect the respective electrical components related to the facility, and the onsite substation, including cabling (buried or overhead) will be between 33kV and 132kV. The onsite substation will be rated 33/132kV whereas internal cabling will be up to 33kV.</p> |
| <p><u>Listing Notice 1, Item 12:</u></p> <p>The development of-</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs:</p> <p>(a) within a watercourse; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</p> | <p>The development of the facility will exceed a footprint of 100m² within the delineated footprint, and within 32m from the edge of non-perennial watercourses.</p> |
| <p><u>Listing Notice 1, Item 14:</u></p> <p>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 80 but not exceeding 500 cubic metres.</p> | <p>The facility will require storage and handling of dangerous goods, including fuel, cement and chemical storage onsite, that will be greater than 80m³ but not exceeding 500m³.</p> |
| <p><u>Listing Notice 1, Item 19:</u></p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.</p> | <p>Solar PV and associated infrastructure, internal access roads and stormwater control infrastructure, as well as electrical cabling required to connect the various components of the facility will collectively require the excavation, infilling or removal of soil exceeding 10m³ from delineated watercourses on</p> |

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| | site. The exact values will be confirmed once final designs have been provided however, these will be within the thresholds relevant to this Listed Activity and therefore within the threshold values and triggering this activity. |
| <u>Listing Notice 1, Item 24:</u> The development of a road— (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres. | The access and internal roads associated with the Facility will be up to 12m and 10m respectively, to be placed with a corridor of up to 20m width to accommodate cable trenches, stormwater channels and turning circle/bypass areas where necessary, therefore exceeding the 8m threshold specified. |
| <u>Listing Notice 1, Item 28:</u> Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare. | The facility is considered a commercial and/or industrial development and will be constructed on land used or agricultural/grazing purposes. The development is located outside of an urban area and be bigger than 1ha. |
| Listing Notice 2 | |
| <u>Listing Notice 2, Item 1:</u> The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more. | The project comprises a Solar PV Facility of up to 150MW, allowing for up to 150MW export from the Facility. |
| <u>Listing Notice 2, Item 15:</u> The clearance of an area of 20 hectares or more of indigenous vegetation. | The development of the Facility will require the clearance of more than 20ha of vegetation. |
| Listing Notice 3 | |
| <u>Listing Notice 3, Item 10:</u> 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 | The Facility will require storage and handling of a dangerous goods, including fuel, cement and chemical storage onsite up to but not exceeding 500 |

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| containers with a combined capacity of 30 but not exceeding 80 cubic metres. g. Northern Cape. ii. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland. | m ³ , located within 100m from the edge of a watercourse or wetland. |
| <u>Listing Notice 3 Item 18:</u> The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. g. Northern Cape, ii. Outside urban areas: (ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland. | Transport of large infrastructure components related to the facility will require the widening of existing access and/or internal roads by up to 14m, and lengthening collectively exceeding 1km in length, thereby exceeding the threshold values and triggering this activity, collectively located within the delineated extent, or within 100 metres from the edge of a watercourse or wetland on site. |

As described in the Environmental Impact Assessment Report (EIAR) dated March 2024 at:

The proposed Koraqua IV Solar Energy Facility entails the following infrastructure:

- **Solar Arrays:**
 - Solar Panel Technology - Mono or Bifacial Photovoltaic (PV) Modules with a maximum combined height of up to 10m (i.e., total height of structure and panel will be up to 10m). Where desirable and feasible, Agri-Voltaic principles could be considered in the final design.
 - Mounting System Technology – single axis tracking, dual axis tracking or fixed axis tracking PV.
 - Overhead or underground low/medium voltage cabling.
 - Centralised inverter stations or string inverters.
 - Power Transformers.
- **Building Infrastructure:**
 - Offices and Operational control centre.
 - Operation and Maintenance Area / Warehouse / workshop, storages, refuse area for temporary waste storage and septic and/or conservancy tanks to service ablution facilities.
 - Ablution facilities.
 - A Battery Energy Storage System (BESS) comprising of several utility scale battery modules within shipped containers or an applicable housing structure on a concrete foundation. The BESS capacity will be up to 150MW/600MWh for each distinct project, with up to four hours of storage. The BESS will be

used to store excess energy generated by the solar facility. It is proposed that Lithium Battery Technologies, such as Lithium Iron Phosphate, Lithium Nickel Manganese Cobalt oxides or Vanadium Redox flow technologies will be considered as the preferred battery technology. The main components of the BESS include the batteries, power conversion system and transformer which will all be stored in various rows of containers. The BESS will be located on a platform of up to 5ha and will accommodate internal roads (as required), a temporary construction laydown area and a firebreak around the BESS footprint.

- Substation complex consisting of a high voltage substation yard to allow for multiple up to 132kV feeder bays and transformers, control building telecommunication, and other substation components as required.

- **Electrical Infrastructure:**

- A 33/132kV on-site IPP substation connecting all related low and medium voltage cabling.
- Low or medium voltage overhead or underground cabling. The solar arrays are typically connected to each other in strings, which are in turn connected to converters/inverters that convert Direct Current (DC) to Alternating Current (AC). The medium voltage collector system will comprise of cables up to and including 33kV that run underground, except where a technical assessment suggest that overhead lines are required, within the facility connecting the solar PV arrays to the onsite substation.

- **Associated infrastructure includes:**

- Fencing and lighting.
- Lightning protection.
- Access road/s to the site and internal roads between project components of up to 12m and 10m respectively, to be placed with a corridor of up to 20 m width to accommodate cable trenches, stormwater channels and turning circle/bypass areas where necessary. The roads will accommodate cable trenches and stormwater channels (as required) and will include turning circle/bypass areas of up to 20m at some sections during the construction phase. Existing roads will be upgraded wherever possible, although new roads will be constructed where necessary.
- Temporary and permanent laydown areas required for temporary storage and assembly of components and materials.
- Temporary staff accommodation (if required) and laydown areas.
- Telecommunication infrastructure.
- Batching plant (if required).
- Stormwater channels; and Water pipelines.

Location:

| Property details of the proposed project/affected farms: | | |
|--|----------------------------|-----------------|
| SD 21 Digit Code | C03100000000047000000. | |
| Farm name/ portion number. | Farm No. 470, portion RE/0 | |
| Ward number | 1 | |
| Corner Coordinates | Latitude | Latitude |
| | 28°19'28.96"S | 23°17'33.06"E |
| | 28°20'45.10"S | 23°19'55.92"E |
| | 28°20'46.15"S | 23°19'56.07"E |
| | 28°22'56.52"S | 23°17'58.05"E |
| | 28°21'42.90"S | 23°15'59.47"E |

Technical details for the proposed Koraqua IV Solar Energy Facility

| Infrastructure/ or Component. | Description / Dimensions |
|--|--|
| Export capacity for each facility | Up to 150 MW . |
| BESS capacity | Up to 150 MW / 600 MWh for each distinct project. |
| Proposed technology | Solar PV facility and associated infrastructure, including a BESS. |
| Height of PV modules | Maximum combined height of up to 10m. |
| Estimated development area | Approx. 2 104ha. |
| Battery array height | Up to 10m. |
| On-site substation and BESS complex area | Up to 8ha. |
| BESS Technology | Lithium Batteries. |
| Construction laydown areas (each). | Approximately 4ha. |
| Permanent laydown area | 2 x 2ha laydowns per site (i.e. 4ha per SEF). |
| O&M building area | Part of the construction laydown area. |
| Width of internal access roads | Access roads of up to 12 m and internal roads of up to 10 m, including turning circle/bypass areas of up to 20 m. The roads and cables will be positioned within a 20 m wide corridor. |
| Length of internal access roads | Up to 25km per SEF, up to total 125km. |
| Site access | Unnamed gravel road between Danielskuil and Griekwastad (D910). |

| Infrastructure/ or Component. | Description / Dimensions |
|--|---|
| Grid connection and proximity (subject to separate authorisation process). | Olien MTS, approximately 40 km in the case of Koraqua III – V SEFs Eskom Noko Switching Station (adjacent Redstone CSP IPP substation), approximately 14.7 km in the case of Koraqua I and II SEFs. |
| Height of substation fencing | Approximately 2.4m high. |
| Type of fencing | Galvanized steel or similar. |

-for the development of up to 150MW Koraqua IV Solar Energy Facility (SEF) and associated infrastructure within the Tsantsabane Local Municipality in the Northern Cape Province, hereafter referred to as “the property”.

Conditions of this Re-issue Environmental Authorisation

Scope of authorisation

1. The development of up to **150MW** Koraqua IV Solar Energy Facility (SEF) and associated infrastructure within the Tsantsabane Local Municipality in the Northern Cape Province is **hereby approved** as per the geographic coordinates cited in the tables above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant, or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be 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 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. The continuation of any such activities after the above-mentioned period has lapsed may trigger one or more listed and/or specified activities, including activity 32 of Listing Notice 1. Such continuation without the required environmental authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of National Environmental Management Act (NEMA).
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation

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. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.3. give the reasons of the Competent Authority for the decision.

Management of the activity

12. The Environmental Management Programme (EMPr) "Appendix H" submitted as part of the final EIAR dated March 2024 is approved and must be implemented and adhered to. The implementation of the EMPr includes the implementation of the "Appendix B" alien Plant and Open Space Management Plan, "Appendix C" Revegetation and Rehabilitation Management Plan, "Appendix D" SCC Rescue and Protection Plan, "Appendix E" Generic ToR for Environmental Monitoring Committee.
13. The Generic Environmental Management Programme (GEMPr) for the substation, submitted as part of the EIAR dated March 2024 (Appendix A), is approved and must be implemented and adhered to.

14. The EMPs must be implemented and strictly enforced during all phases of the project. They shall be seen as dynamic documents and shall be included in all contract documentation for all phases of the development.
15. Changes to the approved EMPs must be submitted in accordance with the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPs, should any impacts that were not anticipated or covered in the EIAR be discovered.

Frequency and process of updating the EMP.

17. The EMP must be updated where the findings of the environmental audit reports, contemplated in Condition 29 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMP.
18. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated EMP 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 EMP must have been subjected to a public participation process, which process has been agreed to by the Department before submission of the updated EMP to the Department for approval.
20. In assessing whether to approve an EMP 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 EMP, the Department may request such amendments to the EMP as it deems appropriate to ensure that the EMP 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 EMP 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 EMP 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 the 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 a 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 submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
26. The holder of the authorisation must, in addition, submit an environmental audit report 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 before 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.

Operation of the activity

30. A written notification of operation must be given to the Department no later than fourteen (14) days before 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

Condition 31 to 33 are suspensive condition

Biodiversity Offset Requirements

32. The Biodiversity Offset Report compiled by Dr N. Birch - Ecological Management Services, dated March 2024, must be revised to contain the components specified in Chapter 7.6.1 of the National Biodiversity Offset Guideline (2023) published in terms of S24J of the NEMA Act 107 of 1998, as amended, and to meet the following criteria:-
- 32.1. A Biodiversity Offset Report to manage actions to be taken at a biodiversity offset site to achieve and maintain specific conservation outcomes in the long term and specifying suitable offset receiving areas as well as the total loss of biodiversity versus the net gain must be developed.
- 32.2. The extent of loss of sensitive habitat must quantified in the Biodiversity Offset Report in order to determine the correct spatial extent of the area to be offset and to determine appropriate candidate areas for the offset to be implemented.

- 32.3. The Biodiversity Offset Report must consider any other considerations which are relevant to determining the size and characteristics of the biodiversity offset (for example, impacts on species of conservation concern with specific habitat requirements, impacts on ecological corridors and connectivity in the landscape, and impacts on important ecological infrastructure), and how the size of offset is to be adjusted to take these considerations into account.
- 32.4. The offset site:
- 32.4.1. must match or exceed the ecological health and biodiversity of the area affected by the proposed development and contain viable populations of the majority of impacted species.
 - 32.4.2. must be adjacent to an existing Protected Area, or at a minimum, facilitate ecological connectivity in the region.
 - 32.4.3. must not be located in Protected Areas.
 - 32.4.4. must be situated within the Kuruman Mountain Bushveld, the Olifantshoek Plains Thornveld, and the Ghaap Plateau Vaalbosveld vegetation types, or a combination thereof.
 - 32.4.5. must preferably fall within the Griqualand West Centre of Endemism, as delineated in the study conducted by Frisby, A.W. (2016), titled 'Redefining the Griqualand West Centre of Endemism'.
 - 32.4.6. must align with priority areas outlined in spatial biodiversity plans, such as Critical Biodiversity Areas, Ecological Support Areas, Freshwater Ecosystem Priority Areas, and focus areas designated for protected area expansion. Alternatively, it must be a combination of these identified priority areas.
 - 32.4.7. must contain comparable densities of protected tree species, most notably the Wild Olive tree (*Olea europea* subsp. *africana*).
 - 32.4.8. must contain habitat for the Black-footed Cat (*Felis nigripes*) and Giant Bullfrog (*Pyxicephalus adspersus*), most notably pans, ephemeral watercourses and substantial rocky outcrops.
 - 32.4.9. must be safe from foreseeable future groundwater impacts.
 - 32.4.10. must be free of land claims, and potential land use conflicts.
 - 32.4.11. must be available for declaration as a (or part of a) protected area in terms of Section 20 or Section 23 of the National Environmental Management Protected Areas Act No. 57 of 2003, as amended, for a period of at least 99 years.
 - 32.4.12. must be secured collectively for the Taaibosch Puts Energy cluster.

- 32.4.13. The biodiversity offset site must be secured by requesting the Minister, or the Member of the Council of the Northern Cape Province, responsible for the environment to declare the area as a (or as part of a) nature reserve, national park or protected environment (in that order of preference) in terms of NEMPAA. Only if the relevant political office holder refuses the request in writing, can the biodiversity offset site be secured by the registration of a conservation servitude.
33. The revised Biodiversity Offset Report must, as a minimum, specify the following:
- 33.1.1. That the mitigation hierarchy, including due consideration of project alternatives to avoid or minimise impacts, has been appropriately applied before considering biodiversity offsetting.
 - 33.1.2. A justification as to why a biodiversity offset is required under the circumstances, and where relevant, why the “no-go” option is not recommended.
 - 33.1.3. The degree of risk that residual negative impacts cannot be offset (i.e. residual negative impacts on irreplaceable biodiversity and/or major constraints on finding suitable biodiversity offset sites to meet the offset requirements) and how the risk is to be addressed or mitigated.
 - 33.1.4. A measure of significant residual negative biodiversity impacts which must be offset.
 - 33.1.5. The applicable biodiversity offset ratios for impacted ecosystems.
 - 33.1.6. Contribute to the long-term protection of biodiversity priority areas and improve their ecological condition and functioning, thereby resulting in tangible and measurable positive outcomes for biodiversity conservation in the region.
 - 33.1.7. Include an explicit statement on the required size of the biodiversity offset to remedy the residual negative biodiversity impacts, applying the basic offset ratio and adjustments as appropriate.
 - 33.1.8. Include a portfolio of candidate biodiversity offset sites, including the likelihood of each site's availability and feasibility.
 - 33.1.9. Include a description of the biodiversity offset site, and the reasons for the selection of that site from the portfolio of candidate biodiversity offset sites must be included.
 - 33.1.10. Include the required biodiversity outcomes on the biodiversity offset site.
 - 33.1.11. Include management measures that would need to be employed as part of the biodiversity offset for a defined period, for which the applicant would be responsible. It is recommended in this guideline that this period is not less than 30 years, and is longer if the impacting activity, or activities, will last beyond 30 years.

34. The revised Biodiversity Offset Report detailing the proposed offset intervention that meets the above criteria as well as the National Biodiversity Offset Guidelines (2023), must be submitted to the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAEARDLR), SANParks, any other relevant stakeholders, the Department of Forestry, Fisheries and the Environment (DFFE): Directorate: Biodiversity and Conservation, DFFE: Chief Directorate: Integrated Environmental Authorisations as well as the DFFE: Directorate: Protected Areas Planning and Management for review and comment. The holder of this EA must consider such comments and incorporate them where possible. The final Biodiversity Offset Report, incorporating the amendments based on the received comments, must be submitted to the DFFE: Chief Directorate: Integrated Environmental Authorisations for written approval before the activity can commence. The final Biodiversity Offset Report submitted for consideration must –

- 34.1.1. Provide sufficient detail to properly inform a decision on whether the offset will adequately and sustainably counterbalance the impact;
- 34.1.2. Be structured in a way that facilitates its inclusion in the Environmental Management Programme;
- 34.1.3. Provide a description of, and contact details for, all the parties required to ensure the efficient and effective implementation of the offset;
- 34.1.4. Provide evidence that all the parties required to ensure the success of the offset fully understand their role in the offset and their willingness to fulfil this role;
- 34.1.5. Provide signed legal agreements between the applicant/implementing party and the management authority that will manage the offset site, indicating that they support the draft agreement in principle, any dispute between the EA holder and the implementing party must be referred to arbitration for an arbitration award.
- 34.1.6. Provide evidence of suitable resource provision (human, financial and/or technical resources) for, and contractual commitment to, implementing the offset including: (i) Land acquisition – the probable costs of acquiring or securing a sufficient area of suitable land, including transaction costs; (ii) Protection – the costs associated with obtaining formal protection, including advertising and public participation costs; (iii) Restoration and maintenance - the costs of restoration and management of the offset area for a period of no less than thirty (30) years, including the costs of any environmental impact assessment required for restoration works where applicable; and (iv) Compliance monitoring and reporting – the costs of monitoring and auditing performance and compliance for a period of no less than thirty (30) years.

35. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal. 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).
36. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area must be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

General

37. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP must be made available for inspection and copying-
- 37.1. at the site of the authorised activity;
 - 37.2. to anyone on request; and
 - 37.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible websites.
38. 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: 02/12/2024



Dr Sabelo Malaza
Chief Director, Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision.

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

- a) The listed activities as applied for in the amended application form received on 12 January 2024.
- b) The information contained in the EIAR dated March 2024.
- c) The comments received from Interested and Affected Parties as included in the EIAR March 2024.
- d) Mitigation measures as proposed in the EIAR and the EMPr's.
- e) Mitigation measures and recommendations as proposed by all specialist studies conducted for this cluster project.
- f) The information contained in the specialist studies contained within the appendices of the EIAR dated March 2024 and as appears below:

| Name | Company | Author/ or Date |
|---|-------------------------------------|--------------------|
| Aquatic Ecological Assessment. | EnviroSci (Pty) Ltd | 19 May 2023 |
| Hydrogeological Assessment. | John Glendinning | June 2022. |
| She Risk Assessment. | ISHECON | 13 September 2023. |
| Biodiversity Offset Report. | Ecological Management Services | March 2024. |
| Terrestrial Fauna and Flora Baseline and Impact Assessment. | Hatch Africa (Pty) Ltd | September 2023 |
| Avifaunal Impact Assessment Report. | AfriAvian Environmental. | September 2023. |
| Freshwater Ecosystem Baseline & Impact Assessment. | Ecology International (Pty) Ltd | September 2023 |
| Soil And Agricultural Impact Assessment. | Soil scientist- Adriaan Oosthuizen. | August 2023. |
| Heritage Impact Assessment. | CTS Heritage | August 2023. |
| Archaeological Specialist Study. | CTS Heritage. | June 2022. |
| Palaeontological Impact Assessment. | The Palaeontologist Consultant | 12 March 2022. |
| Visual Impact Assessment: | Scientist- Adriaan Oosthuizen | August 2023. |
| Socio-Economic Impact Assessment. | Independent Economic Researchers | September 2023. |

| Name | Company | Author/ or Date |
|-----------------------------------|-------------------------|-----------------|
| Traffic Impact Assessment Report. | EDL Engineers (Pty) Ltd | July 2023. |
| Geotechnical Report (Desktop). | JG Afrika (Pty) Ltd, | March 2022. |

- g) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- h) The Appeal Decisions from the Minister - LSA245997, LSA245999, LSA246000, LSA246001 issued on the 07 October 2024.

2. Key factors considered in making the decision.

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

- a) The findings of all the specialist studies conducted and the EIAR recommended mitigation measures.
- b) The need and desirability of the Solar PV Energy Facility (clean energy) which also tends to address the energy crises within the country.
- c) The EIAR dated March 2024 identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- d) The location of the proposed project in relation to the larger cluster project.
- e) The assessment of the project alternatives and suitable location for the solar Pv projects.
- f) The methodology used in assessing the potential impacts identified in the EIAR dated March 2024 and the specialist studies have been adequately indicated.
- g) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.
- h) The Appeal Decisions from the Minister - LSA245997, LSA245999, LSA246000, LSA246001 issued on the 07 October 2024.

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 2024 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 Terrestrial Fauna and Flora Impact Assessment indicated that, the Study Area falls within the Savanna Biome and specifically within two vegetation types, Kuruman Mountain Bushveld and Olifantshoek Plains Thornveld. In terms of the Project Area, the land cover is mainly natural vegetation consisting of thicket within the ridge and koppie systems to grasslands and scrubveld within the open plains and wetland systems. The Kuruman Mountain Bushveld is characterised typically, as is the case on site, by rolling hills with gentle to moderate slopes. Both these vegetation types are considered Least Threatened. Therefore, with mitigation measures being implemented in all phases of the projects, the project is considered suitable for the Solar PV Energy Facility.
- d) The information contained in the EIAR dated March 2024 is deemed to be accepted and convincing, if all mitigations as proposed by specialists are correctly implemented and adhered to.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) The comments and responses report adequately catered for all comments received and responses were deemed sufficient.
- g) 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.
- h) Findings of the Appeal Decisions from the Minister - LSA245997, LSA245999, LSA246000, LSA246001 issued on the 07 October 2024.

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.**

