



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: 14/12/16/3/3/2/2544

Enquiries: Ms Zamalanga Langa

Telephone: (012) 399 9389 E-mail: zlanga@dff.e.gov.za

Godfrey Lehlohonolo Mothobi
Green Gate Energy (Pty) Ltd
833 Joan End
Erands Gardens EXT 92
MIDRAND
1685

Telephone Number: 0663050524
Email Address: godfrey@blueskype.co.za

PER EMAIL / MAIL

Dear Mr Mothobi

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE PROPOSED GRID CONNECTION INFRASTRUCTURE FOR THE VANGPAN SOLAR PV FACILITY IN THE LEPHALALE LOCAL MUNICIPALITY, LIMPOPO PROVINCE

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

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing, and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed.



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.

MJ

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@dff.e.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@dff.e.gov.za

Yours faithfully


Dr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 13/11/2024

cc:	Ms Shirley Nyalunga	Savannah Environmental (Pty) Ltd	Email: shirley@savannahsa.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.

the proposed development of the grid connection infrastructure for the Vangpan Solar Pv Facility in
the Lephalale Local Municipality, Limpopo Province

Waterberg District Municipality

Authorisation register number:	14/12/16/3/3/2/2544
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Green Gate Energy (Pty) Ltd</i>
Location of activity:	<i>Portion 2 of Vangpan 294 LQ</i> <i>Remaining extent of Vangpan 294 LQ</i> <i>Ward 3 of Lephalale Local Municipality,</i> <i>Limpopo 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.	

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.

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, 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 –

GREEN GATE ENERGY (PTY) LTD

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

with the following contact details –

Mr Godfrey Lehlohonolo Mothobi

Green Gate Energy (Pty) Ltd

833 Joan End

Erands Gardens EXT 92

MIDRAND

1685

Telephone Number: 0663050524

Email Address: godfrey@blueskype.co.za

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

Activity number	Activity description
<u>LN 1 Item 11:</u> <i>The development of facilities or infrastructure for the transmission and distribution of electricity</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts</i>	The project site assessed for the siting of the Vangpan EGI is currently zoned as agriculture and is located outside of an urban area or industrial complex. Electrical infrastructure is required to connect the Vangpan Solar PV Facility to the existing Theunispan Substation. The grid infrastructure will consist of an onsite substation (Eskom portion) of more 132kV. Power will be evacuated from the site by a 132kV overhead power line (OHL).
<u>LN 1 Item 14:</u> <i>The development and related operation of facilities and 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>	The development of the Vangpan associated EGI 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), where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters.
<u>LN 1 Item 24:</u> <i>The development of a road</i> <i>(ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters</i>	The construction of the Vangpan EGI will require the construction of new access roads. These will exceed 8m in width.
<u>LN 1 Item 27:</u> <i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation.</i>	The development of the switching station will require the clearance of >1ha of indigenous vegetation.

<p><u>LN 1 Item 28:</u></p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 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 (i.e., the development footprint) for the Vangpan EGI is greater than 1ha and occurs outside an urban area in an area</p>
<p><u>LN 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 (ii) where no reserve exists, where the existing road is wider than 8 metres</i></p>	<p>Existing roads within the project site will require widening or lengthening. Access roads will be widened by more than 6 metres and/or lengthening by more than 1km, to accommodate the movement of heavy vehicles and cable trenching activities.</p>
<p><u>LN3 Item 04:</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>e. Limpopo</i></p> <p><i>i. outside urban areas</i></p> <p><i>(cc) sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</i></p>	<p>Access roads will be developed during the construction phase of the project. These are likely to exceed 8m in width. The Waterberg District Municipality EMF is applicable. According to the EMF, the site falls within a Conservation and Game Farming Focus Area</p>
<p><u>LN3 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>e. Limpopo</i></p> <p><i>i. outside urban areas</i></p> <p><i>(cc) sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</i></p>	<p>Existing roads may require widening of more than 6 m and/or lengthening by more than 1 km, to accommodate the movement of heavy vehicles and cable trenching activities. The Waterberg District Municipality EMF is applicable. According to the EMF, the site falls within a Conservation and Game Farming Focus Area</p>

as described in the Environmental Impact Assessment Report (EIAR) dated October 2024.

Property Details: Grid Connection Infrastructures

Farm	SG Coordinates
Portion 2 of Farm Vangpan 294 LQ	T0LQ00000000029400002
Remaining extent of Farm Vangpan 294 LQ	T0LQ00000000029400000

Coordinates:

Co-ordinates	Latitude	Longitude
Power line		
Start	23°40'57.53"S	27°17'45.92"E
Middle	23°40'32.74"S	27°18'53.97"E
End	23°41'7.35"S	27°19'15.89"E
onsite switching station		
Point A	23°41'5.28"S;	27°19'11.37"E
Point B	23°41'3.86"S;	27°19'14.33"E
Point C:	23°41'7.03"S;	27°19'16.38"E
Point D	23°41'8.33"S;	27°19'13.36"E

-For the proposed development of the grid connection infrastructure for the Vangpan Solar PV Facility near Lephalale, within Ward 13 of the Lephalale Local Municipality, Waterberg District Municipality, Limpopo Province, hereafter referred to as "the property". (coordinates above).

The scope of works will include the following:

- A 132kV onsite switching station.
- A 132kV overhead power line to connect the PV facility to the national electricity grid at the existing Eskom Theunispan Substation.
- Associated access and service roads.

Technical details of the project will include:

Component	Description / Dimensions
Switching station	132/33 KV
Power line capacity	132kV
Power line servitude width	Up to 36m
Length of power line	Approximately 1000m
Grid corridor	300m wide

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed development of the grid connection infrastructure for the Vangpan Solar PV Facility near Lephalale, within Ward 13 of the Lephalale Local Municipality, Waterberg District Municipality, Limpopo Province, is approved as per the geographic coordinates above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site. The continuation of any such activities after the above-mentioned period may trigger one or more listed and/or specified activities, including activity 32 of LN1. 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 NEMA

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. The Layout Map appended as Appendix D of the EIAr dated October 2024 is approved.
13. The Generic Environmental Management Programme (EMPr), “**for a 132kV overhead power line to connect the PV facility to the national electricity grid at the existing Eskom Theunispan Substation**”, specifically Part C: Site Specific Environmental Attributes, dated October 2024 submitted as part of the EIAr, is approved, and must be implemented and adhered to.
14. The Generic Environmental Management Programme (EMPr), “**for the development and expansion of substation infrastructure for the transmission and distribution of electricity**” for **a 132kV onsite switching station**, specifically Part C: Site Specific Environmental Attributes, dated October 2024 submitted as part of the EIAr, is approved, and must be implemented and adhered to.

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

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

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

Recording and reporting to the Department

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.

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29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

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

31. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

32. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

33. 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.
34. If any archaeological material or human burials are uncovered during construction activities, work in the immediate area must be halted, the find reported to the heritage authorities and inspected by an archaeologist.
35. Prior commencement of construction activities, a suitably qualified Ecological Specialist must undertake a preconstruction walk-through of the final development footprint to identify the protected species that would be affected which needs to be translocated. The survey must also cover sensitive habitats and species that are required to be avoided.
36. 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.

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37. The 132kV power line must be constructed using a bird-friendly structure.
 38. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
 39. Clearance of vegetation must only be done on areas earmarked to avoid disturbance of the ecosystem.
 40. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off
 41. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

42. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying:
 - 42.1. at the site of the authorised activity.
 - 42.2. to anyone on request.
 - 42.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
43. 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: 13/11/2024


Dr 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 amended application form received with the EIAr dated October 2024.
- b) The information contained in the EIAr dated October 2024.
- c) The recommendations made by the EAP in the EIAr dated October 2024.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated October 2024 and as appears below:

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) In terms of the economic development requirements of the REIPPPP, the project will commit benefits to the local community in the form of job creation, localisation, and community ownership.
- c) The EIAr dated October 2024 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the EIAr dated October 2024 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 as amended for public involvement.

2. 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 EIA dated October 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 information contained in the EIA dated October 2024 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) The findings of the site inspection held on 14 October 2024
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIA 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.