



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: 14/12/16/3/3/2/2159

Enquiries: Dr Danie Smit

Telephone: (012) 399 9394 **E-mail:** DSmit@dff.gov.za

Mr Ernst Jordaan Burger
Vulpecula Energy (Pty) Ltd
PO Box 5
BRITS
0250

Telephone Number: (012) 400 9991
Email Address: development@lewton.co.za

PER EMAIL / MAIL

Dear Mr Burger

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED RENEWABLE ENERGY GENERATION PROJECT (SOLAR PARK) ON PORTION 173 OF THE FARM WILDEBEESTLAAGTE 411 KQ, THABAZIMBI LOCAL MUNICIPALITY, WATERBERG DISTRICT 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 prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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

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

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

By email: appeals@dffe.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083

or

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 13/03/2023.

cc:	Ms Jacolette Adam	Exigent Engineering Consultants cc	Email: jacolette@exigent.co.za
	Mr E V Maluleke	LEDET	Email: malulekeev@ledet.gov.za
	Mr LG Tloubatla	Thabazimbi Local Municipality	Email : TloubatlaG@thabazimbi.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 a Renewable Energy Generation Project (Solar Park) on portion 173 of the Farm
Wildebeestlaagte 411 KQ, Thabazimbi Local Municipality, Waterberg District Municipality, Limpopo
Province

Waterberg District Municipality

Authorisation register number:	14/12/16/3/3/2/2159
Last amended:	First issue
Holder of authorisation:	VULPECULA ENERGY (PTY) LTD
Location of activity:	Portion 173 of the Farm Wildebeestlaagte 411 KQ , Within Ward 5 of Thabazimbi Local Municipality, Waterberg District Municipality, Limpopo 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.

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 –

VULPECULA ENERGY (PTY) LTD

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

with the following contact details –

Mr Ernst Jordaan Burger
Vulpecula Energy (Pty) Ltd
PO Box 5
BRITS
0250

Telephone Number: (012) 400 9991
Cellphone Number: 082 449 7626
Email Address: development@lewton.co.za

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 1:</u> <i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i> <i>(i) within an urban area</i></p>	<p>One on-site high-voltage substation with high-voltage power transformers, stepping up the voltage to 132kV, and one high-voltage busbar with metering and protection devices Up to two (2) 132 kV power lines, approximately 100m for the connection of the on-site substation to Eskom’s “Thabazimbi Combined - Waterberg 1” 132 kV power line crossing the site. Battery Energy Storage Systems (BESS) for each of the PV Power Plants, with a Maximum Export Capacity up to 100 MW and a 5-hour storage capacity up to 1250 MWh, with a footprint up to 10 ha, next to the on-site high-voltage substation, within the PV plant footprint / fenced areas.</p>
<p><u>Listing Notice 1, Item 12:</u> <i>The development of –</i> <i>(ii) infrastructure or structures with a physical footprint of 100sq.m. or more</i> <i>(c) within 32m of a watercourse, measured from the edge of a watercourse.</i></p>	<p>The Phufane Spruit running through the property will be crossed at two points. It is provisionally proposed that the stream crossings will be achieved using suitable corrugated iron culverts on a 1:1 year flood return period, as shown in the attached Schematic view of the proposed river crossing and Culvert details. It is proposed that the internal roads be constructed to a width of 8.0m, and a road reserve width of 16m.</p>
<p><u>Listing Notice 1, Item 19:</u> <i>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.</i></p>	<p>The Phufane Spruit running through the property will be crossed at two points. It is provisionally proposed that the stream crossings will be achieved using suitable corrugated iron culverts on a 1:1 year flood return period, as shown in the attached Schematic view of the</p>

	proposed river crossing and Culvert details. It is proposed that the internal roads be constructed to a width of 8.0m, and a road reserve width of 16m
<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>It is proposed that these roads be constructed to a width of 8.0m, which will allow slow moving heavy vehicles to pass each other. With reference to the main internal roads, a road reserve width of 16m will be adhered to. Total length of roads: 16,850 km.</p>
<p><u>Listing Notice 2, Item 01:</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><i>(a) within an urban area.</i></p>	<p>The project will consist of construction, operation and maintenance of a Photovoltaic (PV) Power Plant with a generation capacity maximum up to 100 MW.</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 proposed PV Power Plant is located within the quarter degree grid cell 2427CC and has geographic coordinates at 24°57' 31.27"S and 27°14' 13,49"E and an approximate extent of 170 Ha. The required footprint should be cleared from the existing trees and bushes.</p>
<p><u>Listing Notice 3, 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>iii). In urban areas:</i></p> <p><i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</i></p>	<p>To provide access to the various sections of the proposed development, the construction of numerous internal roads will be required. It is expected that these roads will exceed a width of 4m It is proposed that the internal roads be constructed to a width of 8.0m, and a road reserve width of 16m.</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 e). Limpopo;</i></p>	<p>The proposed development will see to the clearance of more than 300m² for the purpose of constructing the Solar Park and associated infrastructure. The proposed</p>

<p>ii) Within critical biodiversity areas identified in bioregional plans;</p>	<p>development footprint area is in Critical Biodiversity Area 2 (CBA2), although after the initial surveys it can be concluded that it should be classified as an ESA2.</p>
<p><u>Listing Notice 3, Item 14:</u> The development of— (xii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse; a. Limpopo; iii) In urban areas (bb). Within critical biodiversity areas identified in bioregional plan.</p>	<p>The proposed developments will intercept wetlands that have been identified as per the National Freshwater Priority Areas (NFEPA) database. The interception of these watercourses will exceed an area of 10 m². The Phufane Spruit running through the property will be crossed at two points. It is provisionally proposed that the stream crossings will be achieved using suitable corrugated iron culverts on a 1:1 year flood return period, as shown in the attached Schematic view of the proposed river crossing and Culvert details. The proposed development footprint area is in Critical Biodiversity Area 2 (CBA2), although after the initial surveys it can be concluded that it should be classified as an ESA2</p>

as described in the Environmental Impact Assessment Report (EIAR) dated November 2022 at:

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Coordinated of the infrastructure

Substation	Latitude	Longitude
Centre point	24°57'39.37" S	27°13'57.91" E
BESS	Latitude	Longitude
NW	24°57'40.99" S	27°13'57.48" E
SW	24°57'46.48" S	27°13'58.95" E
SE	24°57'46.30" S	27°14'14.69" E
NE	24°57'40.66" S	27°14'12.40" E
Warehouse	Latitude	Longitude

Centre point	24°57'40.98" S	27°13'57.52" E
Access road	Latitude	Longitude
Option 1	24°57'11.86" S	27°14'48.33" E
Option 2	24°57'3.60" S	27°13'52.14" E
Option 3	24°58'2.16" S	27°14'12.62" E

Corner coordinates of the PV area

	Latitude	Longitude
PV Area	24°56'49.59"S	27°14'0.66"E
	24°57'12.01"S	27°14'47.10"E
	24°57'3.98"S	27°13'55.99"E
	24°58'0.36"S	27°14'35.50"E
	24°57'58.81" S	27°14'29.02"E
	24°57'32.62"S	27°14'28.01"E
	24°57'20.86"S	27°14'12.68"E
	24°57'21.93"S	27°14'10.06"E
	24°57'52.25"S	27°14'0.99"E
	24°57'52.87"S	27°14'3.43"E
	24°57'35.08"S	27°13'54.96"E
	24°57'29.01"S	27°13'57.40"E
	24°57'28.22"S	27°14'9.71"E
	24°57'34.48"S	27°14'9.59"E
	24°57'37.41"S	27°14'9.54"E
	24°57'46.22"S	27°14'14.51"E
	24°57'47.01"S	27°14'4.93"E
	24°57'21.53"S	27°13'53.84"E
	24°57'21.18"S	27°13'50.45"E

- for the Renewable Energy Generation Project (Solar Park) on portion 173 of the Farm Wildebeestlaagte 411 KQ, Thabazimbi Local Municipality, Waterberg District Municipality, Limpopo Province, hereafter referred to as "the property".

The facility will comprise the following:

- PV modules (mono-crystalline, poly-crystalline or bi-facial modules).
- Mounting systems for the PV arrays (single-axis horizontal trackers or fixed structures) and related foundations.
- Internal cabling and string boxes.
- Medium voltage stations, hosting LV/MV power transformers.
- Medium voltage receiving stations.
- One on-site 33kV/88kV (or 33 kV/132kV) step-up substation with high voltage power transformer, stepping up the voltage from 33kV (or 22kV) to 88kV (or 132kV) and one 88kV (or 132kV) busbar with metering and protection devices (switching station).
- One 88kV (or 132kV) overhead powerline, approximately 0.71 Km long, connecting the onsite switching station to the 88kV (or 132kV) busbar of the Eskom Spitskop substation.
- Battery Energy Storage System (BESS) with a maximum Export Capacity up to 100 MW and a 6-hour storage capacity up to 600 MWh, with a footprint up to 10 ha within the proposed PV plant footprint/fenced areas.
- Workshops and Warehouses.
- Electrical system and and Uninterruptible Power Supply (UPS) devices.
- Lighting system.
- Grounding system.
- Internal roads.
- Fencing of the site and alarm and video-surveillance system.
- Water access point, water supply pipelines, water treatment facilities.
- Sewage system.
- Interventions on the Eskom Spitskop Main Transmission Substation (MTS)

Technical details of the Facility:

Component	Description/ Dimensions
Output capacity of the PVPP	100 MW
Height of PV panels	4.5 m
Area of the PV Array	Total area of the PV Array: 158 ha

<p>Number of inverters required</p>	<p>Each Medium voltage station will be equipped with DC/AC inverters that converts Direct Current (DC) into Alternate Currents (AC) at a low voltage of 270V. There will be 75 medium voltage stations throughout the proposed development.</p> <p>PV technology is in constant and rapid evolution, this means that the final choice of the type (e.g. central inverters or string inverters) and model of inverter can be taken at the time of the commission date, on the basis of the availability of inverters of the worldwide market and of the cost-efficiency curve. In any case, the total installed capacity of the inverters (AC side) will be up to 125 MWac.</p>
<p>Area occupied by inverter/transformer stations/substations</p>	<p>There will be 75 medium voltage stations throughout the proposed development. Each will have an area of approximately 31.3 m². Therefore, the combined area of the medium voltage stations will be 2 347.5 m²</p>
<p>Control rooms</p>	<p>The substation will be equipped with 2 control rooms. The 2 control rooms will have a length of 60 m and 22 m, respectively and will both have a width of 14m. Therefore, each of the control room will have an area of 1100 m². The control room area will share their floorspace with the Sub-station</p>
<p>Workshops/Warehouses</p>	<p>Two warehouses / workshops will be constructed within close proximity to the On-site.</p> <p>132kV switching station. The warehouses will have an area of approximately 626 m².</p>
<p>Capacity of on-site substations</p>	<p>The on-site 100MW substation will host a 120 MVA transformer 22kV/88kV (or 22kV/132 kV), plus one as spare.</p>
<p>Area occupied by both permanent and construction laydown areas</p>	<p>Project footprint / fenced area is up to approximately 238.2 ha. Surface area (within the project footprint) will be covered by PV modules, internal roads, MV stations and a HV substation.</p> <p>The construction camp (temporary) will be up to 10 ha in extent.</p>
<p>Areas occupied by buildings</p>	<p>Medium-voltage stations occupy a footprint up to 930 m².</p>

	<p>On-site substation, switching station and control rooms occupy a footprint of approx. 1.1 ha.</p> <p>Workshop & Warehouse occupy a footprint of approx. 313 m² each. In total, 2 warehouses are foreseen.</p> <p>Therefore, the total area occupied by buildings (MV stations, HV substation, Workshop & Warehouse) amounts to approx. 1.3 ha</p> <p>The Battery Energy Storage Systems (BESS) will be located in the area where the camp site will be for the purpose of the construction phase. This area will be approximately 10 ha in size.</p>
Length of internal roads	Approximately 18 356 m.
Width of internal roads	8m.
Access roads	The project footprint / development area will have direct access from the P16/2 road leading from the R510 providing the site with access from the southern boundary, whereas access from to the northern portion will be gained via the road D869.
Proximity to the grid connections	780 m (via the proposed infrastructure route). One 88kV (or 132 kV) overhead power line or underground line, connecting the on-site HV switching station to the Eskom Spitskop HV Main Transmission Substation (MTS).
Height of fencing	3.0 m.
Type of fencing	Wire mesh fencing with video-surveillance system.
Height of overhead powerlines	88 kV (or 132kV): up to 25 m above the ground level.
Length and width of servitude of 132kV powerline	The servitude will be 36 m in width and the 132kV corridor from the on-site substation to the Eskom Spitskop MTS will be 712 m long.
132kV Substation dimensions	11 001 m ²
Switching station dimensions	11 004 m ² The on-site substation will host a 120 MVA transformer 22kV/88kV (or 22kV/132 kV), plus one as spare. This includes the area of the control rooms.
Battery Energy Storage Facility	With a Maximum Export Capacity up to 100 MW and a 6-hour storage capacity up to 600 MWh, with a footprint up to 10 ha within the proposed PV plant footprint / fenced area.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed Renewable Energy Generation Project (Solar Park) on portion 173 of the Farm Wildebeestlaagte 411 KQ, Thabazimbi Local Municipality, Waterberg District Municipality, Limpopo Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant, or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, 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

13. The site layout plan as attached as Appendix C1 (Site maps) of the EIAR dated November 2022 is **not** approved. A copy of the final site layout map of the proposed project (with micro-siting of the powerline route and pylon structures) must be made available for comments by 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 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 must indicate the following:
 - 13.1. The position of Solar Facility and associated infrastructure;
 - 13.2. Internal roads indicating width;

- 13.3. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 13.4. All sensitive features e.g., Important Bird Areas, Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 13.5. The BESS, substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 13.6. Connection routes (including pylon positions) to the distribution/transmission network;
 - 13.7. The final delineation of the centreline of the power line;
 - 13.8. The specific position of the pylon structures and foundation footprints;
 - 13.9. All existing infrastructure on the site, such as roads;
 - 13.10. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 13.11. Buildings, including accommodation;
 - 13.12. Any sensitive environmental features that will be affected by the proposed project and,
 - 13.13. All "no-go" and buffer areas.
14. The Environmental Management Programme (EMPr) for the Solar facility submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this environmental authorisation. The EMPr must be made available for comments by 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 commencement of the activity. Once approved the EMPr must be implemented and adhered to.
 15. The Generic Environmental Management Programme (EMPr) for substation and powerline submitted as part of the EIAr dated November 2022 is **not** approved and Part C must be amended to include measures as dictated by the final site lay-out map, and the provisions of this Environmental Authorisation. Part C of the generic 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 generic EMPr must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPr must be amended to include the following:
 - 15.1. The requirements and conditions of this authorisation.
 - 15.2. Measures as dictated by the final site lay-out map
 - 15.3. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the EIAr dated November 2022.
 16. The Environmental Management Programme (EMPr) submitted as part of the EIAr dated November 2022 is not approved and must be implemented and adhered to.

17. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
18. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
19. 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

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 27 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.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. 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.
23. 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.
24. 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

25. 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.
 - 25.1. The ECO must be appointed before commencement of any authorised activities.
 - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 25.4. 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

26. 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.
27. 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.
28. 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.
29. 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.
30. 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.

31. 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

32. 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

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. A 32m buffer must be implemented along the Phufane River.
37. No development is permitted within the identified no-go areas as detailed in the sensitivity maps.
38. Anti-collision devices such as bird flappers must be installed where powerlines cross avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
39. A qualified ecologist must be commissioned to perform a final walk through of the alignment to identify all sensitive features including wetlands, drainage lines and all other watercourses, and protected plant or tree species that may be affected by the construction of the power line. This must inform the determination of the final delineation of the centreline within the assessed corridor as well as optimal pylon positions, as well

as the final development layout plan that is to be submitted to the Department for approval as per conditions 13 and 14 above.

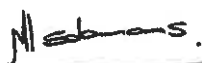
40. A 20m buffer must be implemented around the identified Stone Age artefacts, however, should these identified Stone Age Artefacts not be possible to avoid during the final route selection for the pylon positions, the holder of the authorisation must conduct a Phase 2 Heritage Impact Assessment (HIA) to document the sites, and a destruction permit from SAHRA must be obtained prior to commencement of construction activities.
41. Copies of the permit required as per condition 25 (pending the result of the final powerline layout) must be submitted to this Department for record keeping. The permit, the final power line layout plan and the phase 2 HIA must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
42. Anti-collision devices such as bird flappers must be installed where powerlines cross avifaunal corridors, as recommended by the Ecological specialist. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
43. A pre-construction walk through of the approved power line alignment by an avifaunal specialist and ecologist, must be conducted to ensure that the pylons and powerline alignment have the least possible impact, there are no nests sites of priority species on or close to the construction corridor, and all protected plant species impacted are identified.
44. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
45. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
46. The holder of the authorisation is required to inform the Limpopo Department of Economic Development Environment and Tourism (LEDET), Department of Agriculture, Land Reform and Rural Development and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
47. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the EIAR dated November 2022 must be implemented to reduce the risk of erosion and the invasion of alien species.
48. 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.

49. 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).
50. Waste, which is not authorised for disposal on site as part of the approved development, must be dealt with according to relevant legislation or the Department's policies and practices.
51. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
52. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.

General

53. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 53.1. at the site of the authorised activity;
 - 53.2. to anyone on request; and
 - 53.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
54. 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: 13/03/2023.



Ms Millicent Solomons

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 03 May 2022.
- b) The information contained in the EIAR dated November 2022. he Department of Agriculture, Land Reform and Rural Development.
- c) The comments received from SAHRA, Subsolar Energy (Pty) Ltd, Eskom, the LEDET, Department of Agriculture, Land Reform and Rural Development (DALRRD), DWS, and interested and affected parties as included in the EIAR dated November 2022.
- 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 November 2022 and as appears below:

Title	Prepared by	Date
Agricultural Agro-Ecosystem Impact Assessment Report	AGES	March 2022
Avifauna Impact Assessment Report	AGES	March 2022
Terrestrial Biodiversity, Plant and Animal Species Impact Assessment Report	AGES	March 2022
Heritage Impact Assessment Report	Exigo Sustainability	July 2022
Socio-Economic Assessment Report	Glen Steyn and Associates	April 2022
Wetland Impact Assessment Report	AGES	March 2022
Visual Impact Assessment	Newtown Landscape Architects	March 2022

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The EIAr dated November 2022 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed Solar facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated November 2022 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.

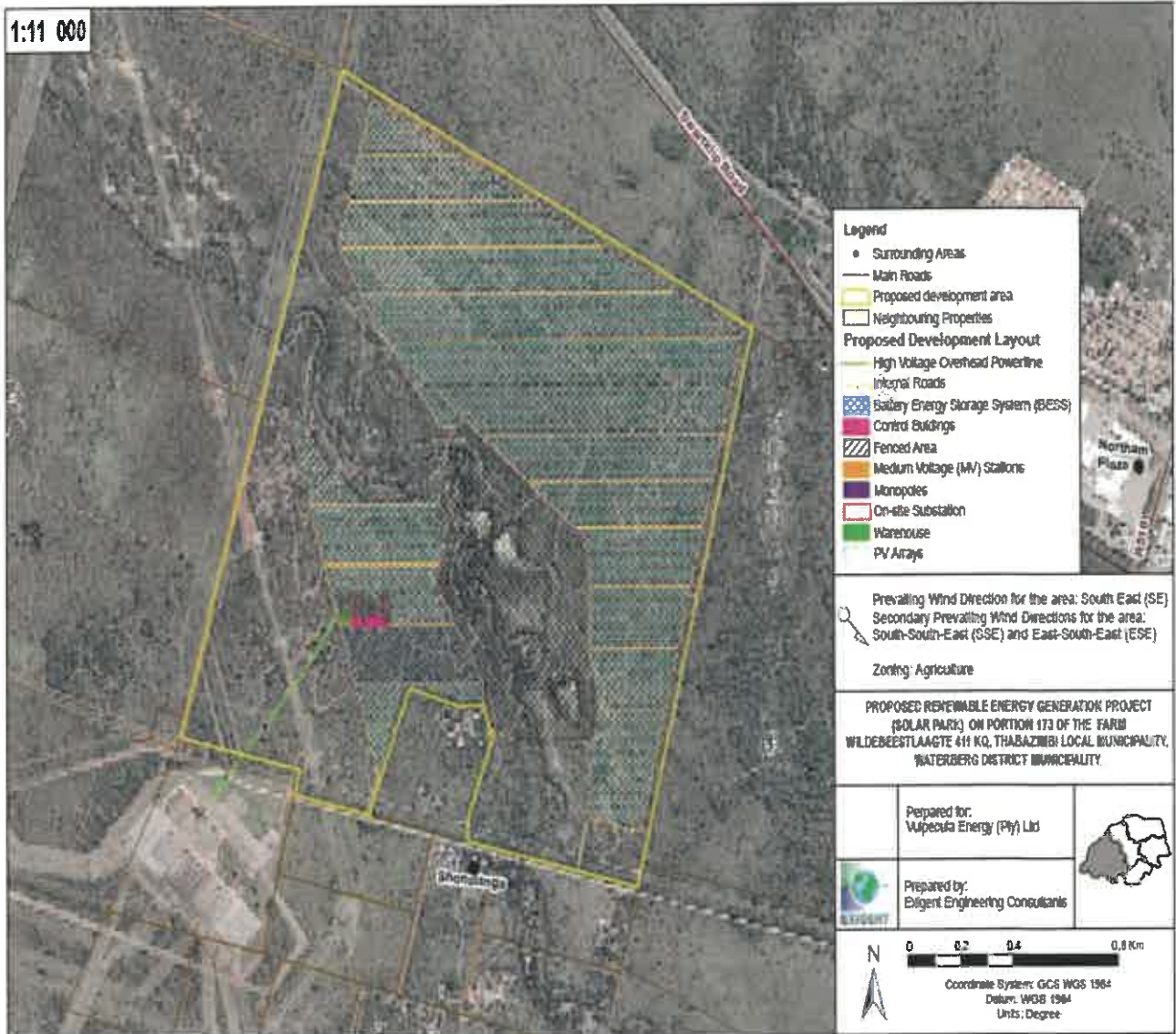
3. Findings

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 November 2022 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 November 2022 is deemed to be accurate and credible.
- d) The findings of the site inspection held on 17 February 2023.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the 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 Plan





forestry, fisheries & the environment

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

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Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dfre.gov.za

Ms. Milicent Solomons
Director: Priority Infrastructure Projects

Dear Ms. Solomons

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

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

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

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

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

Yours Sincerely

Ms. Devinagie Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



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

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief Director:
Intergrated Environmental Authorisations
Signed:

Date: 27/02/2023