



**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: 14/12/16/3/3/2/2058

Enquiries: Ms Mathodi Mogorosi

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

Mr Verne Steyn
WIOCC South Africa (Pty) Ltd
The Design Quarter
Cnr William Nicol Av & Leslie Road
Suite 112, 1st Floor
FOURWAYS
2055

Telephone Number: (080) 977 0335
Email Address: verne.steyn@wiocc.net

PER EMAIL / MAIL

Dear Mr Steyn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE ZAFRICA/GERA (EAST) SUBMARINE FIBRE OPTIC CABLE TELECOMMUNICATIONS SYSTEM TO BE LANDED AT AMANZIMTOTI ON THE EAST COAST OF SOUTH AFRICA, KWAZULU-NATAL 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 of the decision, in writing and within 14 (fourteen) 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. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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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@environment.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@environment.gov.za.

Yours faithfully



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

Date: 20/01/2022

cc:	Ms Ashleigh McKenzie	ACER (Africa) Environmental Consultants	Email: Ashleigh.mckenzie@acerafrica.co.za
	Yugeshni Govender	KZN DEDTEA	Email: yugeshni.govender@kzndard.gov.za
	Ms Bethabile Msomi	eThekweni Metropolitan Municipality	Email: Batha.Msomi@Durban.gov.za / michelle.lotz@durban.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 2Africa/Gera (East) Submarine Fibre Optic Cable Telecommunications System to be landed at
Amanzimtoti on the East Coast of South Africa, KwaZulu-Natal Province

eThekweni Metropolitan Municipality

Authorisation register number:	<i>14/12/16/3/3/2/2058</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>WIOCC South Africa (Pty) Ltd</i>
Location of activity:	<i>Amanzimtoti, Ward 97 of the eThekweni Metropolitan Municipality, KwaZulu-Natal 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.

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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 –

WIOCC SOUTH AFRICA (PTY) LTD

(hereafter referred to as the holder of the authorisation)

with the following contact details –

Mr Verne Steyn

WIOCC South Africa (Pty) Ltd

The Design Quarter

Cnr William Nicol Av & Leslie Road

Suite 112, 1st Floor

FOURWAYS

2055

Cell Phone Number: (060) 977 0335

E-mail Address: verne.steyn@wiocc.net

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 15:</u></p> <p><i>The development of structures in the coastal public property where the development footprint is bigger than 50 square metres.</i></p>	<p>The project will entail the landing of a marine telecommunications cable at Amanzimtoti Beach. This will require digging of a trench across the beach into the intertidal zone and the installation of the telecommunications cable, system earth and associated activities. It will also involve the construction of an underground Beach Manhole on the sea edge of the beach carpark (approximate dimensions: 3m length x 1.8m height x 2m width) and installation of a terrestrial cable that will traverse inland to reach the Cable Landing Station at Umbogintwini.</p>
<p><u>Listing Notice 1, Item 17:</u></p> <p><i>Development-</i></p> <p><i>(i) in the sea;</i></p> <p><i>(iii) within the littoral active zone;</i></p> <p><i>(iv) in front of a development setback; or</i></p> <p><i>(v) if no development setback exists, within a distance of 100 metres inland of the high- water mark of the sea or an estuary, whichever is the greater;</i></p> <p><i>in respect of-</i></p> <p><i>(e) infrastructure or structures with a development footprint of 50 square metres or more</i></p>	<p>The project will entail the landing of a marine telecommunications cable at Amanzimtoti Beach. This will require the digging of a trench along the beach into the intertidal zone and the installation of the telecommunications cable, as well as the system earth. The subsea cable will be buried to a depth of approx. 2m, at water depths < 1000m, to provide additional protection.</p> <p>It will also involve the construction of an underground Beach Manhole on the sea edge of the beach carpark (approximate dimensions: 3m length x 1.8m height x 2m width) and installation of a terrestrial cable that will traverse inland to reach the Cable Landing Station at Umbogintwini.</p>

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<p>Listing Notice 1, Item 18:</p> <p><i>The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion,</i></p>	<p>Rehabilitation of dune vegetation at Amanzimtoti Beach will be undertaken if construction activities associated with the laying of the underground telecommunications cable disturb vegetation on the shoreline. Horizontal Directional Drilling is proposed from the Beach Manhole to 15m seawards, to avoid impacting dune vegetation.</p>
<p>Listing Notice 1, Item 19A:</p> <p><i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from -</i></p> <p><i>(i) the seashore;</i></p> <p><i>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or</i></p> <p><i>(iii) the sea;</i></p>	<p>The project will entail the excavation and deposition of more than 5m³ of material within 100m of the high-water mark of the sea. This will result from construction of the Beach Manhole on the sea edge of the beach carpark at Amanzimtoti Pipeline Beach and when trenching for, and backfilling of, the terrestrial portion of the cable occurring within 100m of the high-water mark of the sea, as well as for the marine telecommunications cable and system earth across the beach.</p>
<p>Listing Notice 2, Item 14</p> <p><i>The development and related operation of—</i></p> <p><i>(ii) an anchored platform; or</i></p> <p><i>(iii) any other structure or infrastructure – on, below or along the seabed;</i></p>	<p>The marine cable will be placed on the surface of the seabed in deep water. In shallow waters (less than approx. 1000m in depth) the cable will be buried under the seabed to provide extra protection, where the substrate allows.</p>
<p>Listing Notice 2, Item 26:</p> <p><i>Development—</i></p> <p><i>i. in the sea;</i></p> <p><i>iii. within the littoral active zone;</i></p> <p><i>v. if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</i></p>	<p>Although unlikely to be triggered, this listed activity has been included as the trench for the marine cable may result in the entrapment of sand within the inter- and sub-tidal zones. In addition, the trench in which to bury the cable may be construed as an underwater channel.</p>

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<p><i>in respect of—</i></p> <p><i>c) inter- and sub-tidal structures for entrapment of sand;</i></p> <p><i>h) underwater channels;</i></p>	
<p><u>Listing Notice 3, Item 12:</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation</i></p> <p><u>d. KwaZulu Natal</u></p> <p><i>iv. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>vi. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or erven in urban areas.</i></p>	<p>The trenching and laying of the cable across the beach and inland of the Beach Manhole will require limited clearance of indigenous primary dune vegetation and, potentially, indigenous vegetation within a Critical Biodiversity Area and/or within 100m inland of the high-water mark of the sea. This may add up to an area of greater than 300 square meters.</p>
<p><u>Listing Notice 3, Item 14:</u></p> <p><i>The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i></p> <p><i>where such development occurs—</i></p> <p><i>(b) in front of a development setback; or</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><u>d. KwaZulu-Natal</u></p>	<p>The project will entail development of infrastructure with a physical footprint of more than 10 square meters (Beach Manhole and ducting towards the Cable Landing Station) in public open space and/or within a Critical Biodiversity Area and/or within 100 m inland of the high-water mark of the sea.</p>

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vii. *Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*

xi. *Inside urban areas:*

(aa) *Areas zoned for use as public open space;*

(bb) *Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or*

(cc) *Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.*

as described in the Environmental Impact Assessment Report (EIAR) dated September 2021 at:

GPS Co-ordinates and alignment of the 2Africa/Gera (East) Submarine Fibre Optic Cable Telecommunications System to be landed at Amanzimtoti

Location	Latitude	Longitude
Start of marine branch cable (at trunkline)	31°00.500' S	32°15.788' E
Mid-point of marine branch cable	30°44.032' S	31°20.948' E
End of Branch Cable	30°02.409' S	30°53.933' E
Sea Earth Plate at Amanzimtoti Pipeline Beach	30°02.408' S	30°54.004' E
BMH at Amanzimtoti Pipeline Beach (Alternative 3 - Preferred)	30°02.409' S	30°53.933' E
CLS	30°01.229' S	30°54.591' E
Mid-point of trench line for ducting from BMH to CLS	30°02.184' S	30°54.022' E
Approximate length of marine branch cable	188km	

Width of the offshore cable corridor to be authorised	500m (250m each side of cable)
Width of the beach crossing corridor to be authorised	100m (50m each side of cable)
Approximate length of trench line for ducting to CLS	5.0km
Width of the land cable corridor to be authorised	10m (5m each side of cable)

Property information for the offshore route (BMH – offshore):

Farm Name	Farm/ Erf No	Portion
Amanzimtoti	1717	4
Amanzimtoti	1717	0
Tioxide	18098	0
Tioxide	18098	0

2AFRICA/GERA (East) Amanzimtoti fronthaul alignment SG21 codes of properties along alignment:

SG 21-digit code	Source
N0ET0000000467600003	eThekwini registered parcels
N0ET0000000467600665	eThekwini registered parcels
N0ET0000000467601072	eThekwini registered parcels
N0ET0000000467601359	CSG/NGI erven
N0ET0000000467602122	CSG/NGI erven
N0ET0000000467602218	eThekwini registered parcels
N0ET0000000467602483	CSG/NGI erven
N0ET0000000467602484	CSG/NGI erven
N0ET00030000012500000	eThekwini registered parcels
N0ET00030000013000000	eThekwini registered parcels
N0ET00030000013600000	eThekwini registered parcels
N0ET00030000013700000	eThekwini registered parcels
N0ET00030000013800000	eThekwini registered parcels
N0ET00030000013900000	eThekwini registered parcels
N0ET00030000014000001	eThekwini registered parcels
N0ET00030000014100001	CSG/NGI farm portions
N0ET000300000171700004	eThekwini registered parcels
N0ET000300000212000000	eThekwini registered parcels
N0ET000300000212600000	eThekwini registered parcels
N0ET000300000264900000	eThekwini registered parcels
N0ET000300000295900000	CSG/NGI farm portions
N0ET000300000296100000	CSG/NGI farm portions

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NOET0003000029620000	CSG/NGI farm portions
NOET0009000002150000	eThekwini registered parcels
NOET0009000002150001	CSG/NGI farm portions
NOET0009000002150002	eThekwini registered parcels
NOET0009000002160000	CSG/NGI farm portions
NOET0009000002160002	CSG/NGI farm portions
NOET0009000002890003	eThekwini registered parcels
NOET0009000003510000	CSG/NGI farm portions
NOET0009000003510001	CSG/NGI farm portions
NOET0009000003790000	CSG/NGI farm portions
NOET0443000002430006	eThekwini registered parcels
NOET0443000002430008	eThekwini registered parcels
NOET0443000002430012	eThekwini registered parcels
NOET0443000002460000	eThekwini registered parcels

2AFRICA/GERA (East) Amanzimtoti fronthaul alignment affected cadastral:

SG 21-digit code	DEEDSTOWN	ERF	PORTION
NOET00000000467602218	UMLAZI NATIVE LOCATION NO. 4676		2218
NOET0009000002150000	ATHLONE PARK	215	
NOET0009000002150002		215	2
NOET0009000002890003	ATHLONE PARK	289	3
NOET0003000017170004	AMANZIMTOTI	1717	4
NOET00000000467600665	UMLAZI NATIVE LOCATION NO. 4676		665
NOET0003000021260000	AMANZIMTOTI	2126	
NOET0003000001400001	AMANZIMTOTI	140	1
NOET0003000001390000	AMANZIMTOTI	139	
NOET0003000001380000	AMANZIMTOTI	138	
NOET0003000001370000	AMANZIMTOTI	137	
NOET0003000001360000	AMANZIMTOTI	136	
NOET0003000001300000	AMANZIMTOTI	130	
NOET0003000001250000	AMANZIMTOTI	125	
NOET00030000026490000	AMANZIMTOTI	2649	
NOET0003000021200000	AMANZIMTOTI	2120	
NOET00000000467601072	UMLAZI NATIVE LOCATION NO. 4676		1072
NOET0000000046760003	UMLAZI NATIVE LOCATION NO. 4676		3
NOET0443000002460000	UMBOGINTWINI	246	
NOET0443000002430006	UMBOGINTWINI	243	6
NOET0443000002430008	UMBOGINTWINI	243	8
NOET0443000002430012	UMBOGINTWINI	243	12

-for the 2Africa/Gera (East) Submarine Fibre Optic Cable Telecommunications System to be landed at Amanzimtoti, on the East Coast of South Africa, KwaZulu-Natal Province, hereafter referred to as "the property".

The installation and operation of the 2AFRICA/GERA (East) Submarine Cable System (Amanzimtoti landing), comprises marine and terrestrial components. The marine cable component is the branch line that extends from the main trunk line of the 2AFRICA/GERA (East) Cable to Pipeline Beach, Amanzimtoti. From the main cable trunk (located in the Indian Ocean approximately 188km from the shoreline off Durban, within South Africa's Exclusive Economic Zone (EEZ)), the branch line enters South African Territorial Waters approximately 22km from the seashore (12Nm) and will link into a Beach Manhole (BMH) on shore. On land, the BMH will be constructed at Pipeline Beach carpark and the cable will link up to a new cable landing station (CLS) which will be accommodated within an existing building located at Arbour Junction 2, Arbour Road, Umbogintwini. A cable trench (approximately 5km in length) will be required for the section of cable from the BMH to the CLS site. The width of offshore corridor assessed for the marine cable was 500m (250m either side of the cable), although the cable footprint itself is only 6m wide (the width of the sea plough skids although the actual disturbed footprint is less than 5m (skids and ploughshare)). The entire beach where the cable is to land was assessed; however the construction corridor on the beach will be limited to 50m each side of the cable. On land, the cable trench is less than 1m in width, with a construction corridor of 10m (5m either side of the cable).

The 2AFRICA/GERA (East) Submarine Cable System (Amanzimtoti landing) includes the following project components and activities:

- Pre-installation activities including cable route survey and route engineering.
- Route clearance and Pre-Lay Grapple Run (PLGR).
- Laying of the cable in the offshore environment, preceded by route clearance and including cable burial in water depths less than approximately 1,000m.
- Laying of the cable within the shallow water environment, which is likely to involve a direct shore end operation where the shore end of the subsea cable is installed directly from the main subsea cable installation vessel and floated to the beach landing point using buoys, assisted by small boats and divers.
- In the shallow water and beach environment articulated pipe will be used to provide additional protection to the cable from the cable anchor block to a water depth of approximately 10 – 15 m.
- Burial in the seabed to a target depth of 2m where possible. The route will be adjusted where possible to avoid obvious visible rock. This burial is intended to provide protection to the cable from the hazards posed by ships' anchors, fishing trawls/lines and the like. However, where cables cross outcropping rock, cables will be surface laid and clamped to the rock where possible to prevent movement and abrasion of the cable.

- Excavations within the Intertidal zone will be undertaken to bury the cable before it is anchored into a cable anchor block and BMH. (The BMH is a concrete utility vault where the marine portion of the subsea cable is connected to the terrestrial portion.)
- Excavations within the Intertidal zone and beach to bury the System Earth cable and sea earth plate on Pipeline Beach.
- On the beach, the cable will be buried to a target depth of 2 meters, substrate permitting. Horizontal Directional Drilling (HDD) will be used over a short section to route the cable underneath the vegetated dune.
- The BMH and underground ducting to the CLS will be constructed in readiness for the cable landing.

Conditions of this Environmental Authorisation

Scope of authorisation

1. Preferred Beach Manhole (BMH) Site Alternative 3, Marine Route Alternative 3, and Nearshore Burial Alternative 2 for the 2Africa/Gera (East) Submarine Fibre Optic Cable System to be landed at Amanzimtoti, on the East Coast of South Africa, KwaZulu-Natal, 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 effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any 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.

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 Environmental Management Programme (EMPr) submitted as part of the EIA dated September 2021 is approved and must be implemented and adhered to.
13. 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.
14. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
15. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIA be discovered.

Frequency and process of updating the EMPr

16. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of 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.
19. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of 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.
20. 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

21. 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.
 - 21.1. The ECO must be appointed before commencement of any authorised activities.
 - 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

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- 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 21.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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

28. 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

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

Site closure and decommissioning

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

Specific conditions

31. The construction footprint must be confined to the preferred fronthaul alignment trench and the preferred BMH Alternative 3. Sediment netting should be erected around each construction area to avoid unnecessary disturbance of the surrounding terrestrial environment.
32. Nearshore Burial Alternative 2 (i.e., cable burial to a depth of 2m through the approximately 619m long section of contamination north/northeast of the marine outfall pipelines) is approved, subject to the use of mechanical ploughing only (no water jetting), in order to limit the potential for the release of subsurface contaminated sediments to become suspended in the water column.
33. The coastal dune cordon directly north and south of the proposed landing site must be treated as a No-go Area and no works or construction personnel may enter this area.
34. A suitably trained crew member (or an independent Marine Mammal Observer) with relevant experience in marine mammal identification, must be used as a designated Marine Mammal / Protected Species Observer (MMO/PSO), to ensure that no mammals are within the potential impact zone of sonars, cables or noise pollution.
35. The contractor in consultation with the ECO must identify and demarcate the extent of the site and associated work areas, the temporary exclusion zones on the beach, and no-go areas as identified in the EMPr.
36. Appropriate barriers and easily understood signage must be in place to cordon off unsafe construction areas from the general public, without blocking access to the surrounding beaches.
37. No construction activities with the potential to affect the general public's enjoyment of the coast must be scheduled to take place during peak seasons. Every effort must be made to avoid landing the

2AFRICA/GERA (East) Fibre Optic Cable System during the peak tourism periods such as the Christmas Period, School Holidays and the Easter Long Weekend.

38. The holder of the authorisation must provide notice boards at beach access points detailing the construction period and a map with details of the working areas.
39. Construction teams must be clearly identified by wearing uniforms and/or wearing identification cards that must be exhibited in a visible place on their body.
40. The local community, including neighbouring landowners and/or tenants, must be informed of the schedule for construction works prior to commencement of construction, to minimise negative impacts.
41. The holder of the authorisation must engage with the fishing industry representative and key stakeholders (including the SA Fishing Industry Association; Department of Forestry, Fisheries and the Environment (DFFE): Oceans and Coasts; the South African Navy Hydrographic Office (SAN Hydrographer); South African Maritime Safety Association (SAMSA); and Ports Authorities) prior to the commencement of construction, in order to ensure that they are aware of the scheduled activities and exclusion zones.
42. The holder of the authorisation must engage with affected offshore concession holders prior to commencement of construction to draw up a Memorandum of Understanding (MoU)/Cooperation Agreement, if required, which outlines the rights, obligations and roles and responsibilities of both parties in terms of the installation and operation of subsea infrastructure.
43. The pegged-out route of the preferred fronthaul alignment should avoid all areas of the Coastal Thicket Habitat Unit (HU), of which large portions fall within Durban Metropolitan Open Space System (D'MOSS) and Critical Biodiversity Area (CBA): Irreplaceable units. The Degraded Land HU must be the preferred construction area.
44. If the final pegged out route encroaches into area of D'MOSS and CBA: Irreplaceable planning units, written permission to do so must be obtained from eThekwin! Environmental Planning and Climate Protection Department (EPCPD).
45. No threatened or protected species must be disturbed, cut or felled. If this is completely unavoidable, the relevant permits must be obtained from the relevant Conservation Authority prior to construction.
46. The potentially anthropogenic seabed anomalies (SSS contacts E3-A-S005 and associated linear contact, E3-G-S0213, E3-G-S214, E3-G-S210 and E3-G-S219 and magnetic anomalies E3-G-M001 - E3-G-M005) must be avoided during cable installation.
47. Should any shipwrecks be identified along the cable alignment, SAHRA must be notified to enable the information to be added to the national shipwreck database.
48. Any shipwreck-related material recovered from the seabed during the pre-lay grapnel runs must be retained, kept wet, and the maritime archaeologist must be notified of the find.

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49. Should any further archaeological material be encountered during the course of cable installation, work must cease in that area until the project archaeologist and the South African Heritage Resources Agency (SAHRA) have been notified, the find has been assessed by the archaeologist, and agreement has been reached on how to deal with it.
50. Refuelling and fuel storage areas may not take place or be located within 100m of the beach.
51. Parking areas must not be utilised for the stockpiling of any construction material.
52. Vehicles must be restricted to clearly demarcated access routes and construction areas only. These must be selected in consultation with the eThekweni Metropolitan Municipality.
53. 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

54. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
 - 54.1. at the site of the authorised activity;
 - 54.2. to anyone on request; and
 - 54.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
55. 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: 20/01/2022



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

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 19 March 2021.
- b) The information contained in the EIAr dated September 2021.
- c) The comments received from KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA), EDTEA: Coastal and Biodiversity Management, Ezemvelo KZN Wildlife, South African Heritage Resources Agency (SAHRA), eThekweni Metropolitan Municipality, Department of Water and Sanitation, Department of Forestry, Fisheries and the Environment (DFFE): Oceans and Coasts, DFFE: Sustainable Aquaculture Management, DFFE: Forestry Regulations and Support, South African Maritime Safety Authority (SAMSA), Transnet and Interested and Affected Parties as included in the EIAr dated September 2021.
- 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 September 2021 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in Appendix 5	Date issued
ACO Associates cc	Heritage Impact Assessment	June 2021
Environmental Assurance (Pty) Ltd	Terrestrial Biodiversity and Plant Species Compliance Statement	June 2021
Environmental Assurance (Pty) Ltd	Terrestrial Animal Species Compliance Statement	June 2021
Environmental Assurance (Pty) Ltd	Aquatic Biodiversity Compliance Statement	June 2021
Capricorn Marine Environmental (Pty) Ltd (CapMarine)	Commercial Fisheries Specialist Study	June 2021
SDP Ecological & Environmental Services	Coastal Impact Assessment (Beach and Dunes)	May 2021

Plsces Environmental Services (Pty) Ltd	Marine Ecology Assessment	June 2021
Aquatic Ecosystem Services	Marine Benthic Shallow Water Impact Assessment	July 2021
WildSkies Ecological Services (Pty) Ltd	Avifaunal Impact Assessment	January 2021
Sea Search Research and Conservation	A Review of the Potential Effects of Submarine Telecommunications Cables on Marine Mammals in Southern Africa	January 2021

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 and desirability of the development. The purpose of the project is to improve Africa's information technology infrastructure via telecommunication cables. Submarine telecommunication cables are important for international telecommunication networks as they transport almost 100% of transoceanic Internet traffic throughout the world. It is widely recognised that access to affordable international bandwidth is key to economic development in every country. Today, Africa relies primarily on satellites with few submarine cables to provide its international communications. Communication via submarine telecommunication cables generally allows for lower cost, better performance, and greater capacity (throughput) than that available via satellite. Telecommunications is one of the fastest growing sectors of South Africa's economy which has been driven by rapid growth in the number of mobile phone users and their need for broadband connectivity. The project will provide an opportunity to facilitate the growth of the telecommunications infrastructure in South Africa and in this way support the country's national development goals.
- c) The EIA dated September 2021 identified all legislation and guidelines that have been considered in the preparation of the EIA.
- d) The location of the project.
- e) The methodology used in assessing the potential impacts identified in the EIA dated September 2021 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.

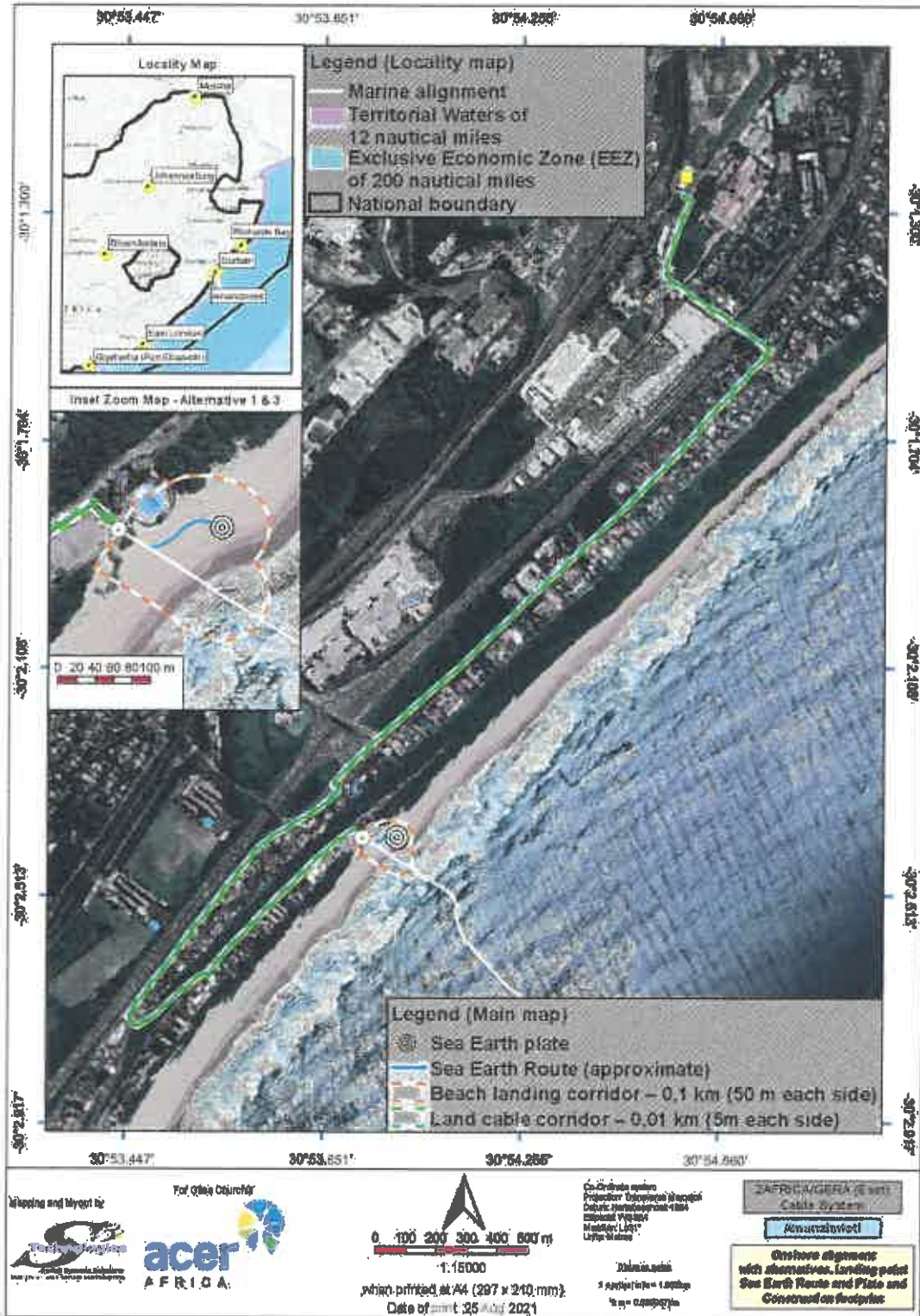
3. Findings

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 EIA dated September 2021 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 September 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the 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.

Annexure 2: Locality Plan



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