



## 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:** 14/12/16/3/3/1/2416

**Enquiries:** Ms Thabile Sangweni

**Telephone:** (012) 399 9409 **E-mail:** Tsangweni@dff.gov.za

Mr Louis Dewavrin  
Umoyilanga (Pty) Ltd  
Waterfront Business Park  
Building 5 – Ground Floor  
1204 Humerail  
**PORT ELIZABETH**  
6000

Telephone Number: (041) 506 4900  
Email Address: louis.dewavrin@edf-re.co.za

### PER EMAIL

Dear Mr Dewavrin

### **ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE**

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, of the Department's 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 stipulates 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 abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which 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@environment.gov.za](mailto: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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully

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

Date: 26/11/2021

cc:	Wynand Loftus	Zutari (Pty) Ltd	E-mail: <a href="mailto:Waynand.Loftus@zutari.com">Waynand.Loftus@zutari.com</a>
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**forestry, fisheries  
& the environment**

Department  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation

In terms of Regulation 20(1)(a) of the Environmental Impact Assessment Regulations, 2014,  
as amended

The upgrade of the Gordonia-Avondale 132kV Transmission Line near Upington within the Dawid  
Kruiper Local Municipality in the Northern Cape Province

ZF Mgcawu District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2416
<b>Holder of authorisation:</b>	Umoyilanga (Pty) Ltd
<b>Location of activity:</b>	Erf 4350 Upington; Portion 2 of Farm Koras 412; RE of Farm Uizip 413; Portion 7 of Farm Uitkomst 420; Portion 11 of Farm Uitkomst 420; RE of Farm Rouxville 605; RE of Farm Sandflats 653; RE of Farm Melkstroom 563; Portion 2 of Farm Kameelpoort 414; Portion 1 of Farm Avondale 410; Portion 18 of Farm UAP 418; Dawid Kruiper Local Municipality ZF Mgcawu District Municipality Northern Cape 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 –

### **UMOYILANGA (PTY) LTD**

with the following contact details –

Mr Louis Dewavrin  
Waterfront Business Park  
Building 5 – Ground Floor  
1204 Humerail  
**PORT ELIZABETH**  
6000

Telephone Number: (041) 506 4900  
Email Address: louis.dewavrin@edf-re.co.za

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

Activity number	Activity description
<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>A number of the existing pylons are located inside a defined watercourse and removal of the existing foundations would result in the movement of more than 10m<sup>3</sup> of soil within a watercourse.</p>
<p><u>Listing Notice 1, Item 48:</u>  <i>"The expansion of-</i>  <i>(i) Infrastructure or structures where the physical footprint is expanded by 100 square metres or more; where such expansion occurs-</i>  <i>(a) within a watercourse;</i>  <i>(b) in front of a development setback; or</i>  <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>Upgrading of the line will result in the expansion of pylon footprints in excess of 100m<sup>2</sup> and will take place within 32m of the watercourses at the site as delineated by the aquatic specialist.</p>
<p><u>Listing Notice 3, Item 12:</u>  <i>"The clearance of an area of 300 square metres or more of indigenous vegetation within</i>  <i>(i) The Northern Cape</i>  <i>ii. Within Critical Biodiversity Areas identified in bioregional plans."</i></p>	<p>±58 of the existing pylons are located inside a CBA. Should the same number of new pylons be constructed inside the CBA it would result in the clearance of 371m<sup>2</sup> of indigenous vegetation.</p>
<p><u>Listing Notice 3, Item 23:</u>  <i>"The expansion of—</i>  <i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</i>  <i>(a) within a watercourse;</i></p>	<p>Pylons to be upgraded inside a CBA are located within 32m of a watercourse and the expansion of the pylon footprints in these areas would be in excess of 10m<sup>2</sup>.</p>

<p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>(f) Northern Cape                  i. sensitive areas.”</p>	
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as described in the Basic Assessment Report (BAR) dated October 2021 at:

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C	0	2	8	0	0	0	0	0	0	0	0	0	4	2	0	0	0	0	0	7
C	0	2	8	0	0	0	0	0	0	0	0	0	4	2	0	0	0	0	1	1
C	0	2	8	0	0	0	0	0	0	0	0	0	6	0	5	0	0	0	0	0
C	0	2	8	0	0	0	0	0	0	0	0	0	6	5	3	0	0	0	0	0
C	0	2	8	0	0	0	0	0	0	0	0	0	5	6	3	0	0	0	0	0
C	0	2	8	0	0	0	0	0	0	0	0	0	4	1	4	0	0	0	0	2
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- for the upgrade of the Gordonia-Avondale 132kV Transmission Line near Upington in the Northern Cape Province, hereafter referred to as “the property”.

The development will comprise the following:

- Transmission line and pylon structures;
- Pylon foundations;
- Substations;
- Access and service roads;
- Temporary laydown areas and site camps;
- Specifications for bird flight diverters installation on a power line; and
- Provision of services required during construction i.e. labour, water supply and waste.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The upgrade of the Gordonia-Avondale 132kV Transmission Line near Upington in the Northern Cape Province, as described above is hereby approved.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this environmental authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further environmental authorisation in terms of the regulations.
6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any 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 (5) 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. A final site layout plan for the upgrade of the Gordonia-Avondale 132kV transmission and all associated infrastructure, as determined by the detailed engineering phase and micro-siting of the power line route and pylon structures, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to 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 the substation (indicating the Independent Power Producer's Section and Eskom's section, if applicable);
  - 13.2. The final delineation of the centreline of the power line within the approved corridor;
  - 13.3. The specific position of the pylon structures and foundation footprints;
  - 13.4. All existing infrastructure on the site, especially roads;
  - 13.5. All heritage/palaeontology sites identified as significant;
  - 13.6. All associated infrastructure within the assessed study area, including the service road, the expanded sections of the existing roads and bridges, O&M buildings, including the dangerous goods facility, and temporary laydown areas. The dimensions of the structures must be indicated;
  - 13.7. All sensitive environmental features that will be affected by the transmission power line;
  - 13.8. All watercourse areas (inclusive of buffers); and
  - 13.9. All "no-go" and buffer areas.
14. Part C (Site Specific Environmental Attributes) of the generic Environmental Management Programmes (EMPrs) for the upgrade of the Gordonia-Avondale 132kV transmission and all associated infrastructure, submitted as part of the final BAR dated October 2021, is not approved. Part C 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. Part C of the generic EMPrs 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 EMPrs must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPrs must be amended to include the following:
- 14.1. The requirements and conditions of this environmental authorisation;
  - 14.2. Measures as dictated by the final site lay-out map and micro-siting;
  - 14.3. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the final BAR dated October 2021;
  - 14.4. All recommendations and mitigation measures to be implemented for the operational phase of the dangerous goods facility;
  - 14.5. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems;
  - 14.6. A fire management plan to be implemented during the construction and operation of the facility;

- 14.7. A re-vegetation and habitat rehabilitation plan. The plan must provide for restoration to be undertaken as soon as possible after completion of construction activities, to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- 14.8. An aquatic rehabilitation and monitoring plan, particularly for watercourse features that will be infilled and / or excavated;
- 14.9. A stormwater management plan; and
- 14.10. The final site layout map.
15. Once approved the generic EMPs must be implemented and adhered to. They shall be seen as dynamic documents and shall be included in all contract documentation for the development.
16. Changes to the approved EMPs must be submitted in accordance with the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPs, should any impacts that were not anticipated or covered in the BAR be discovered.

#### **Frequency and process of updating the EMP**

18. The EMP must be updated where the findings of the environmental audit reports, contemplated in Condition 29 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMP.
19. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMP must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMP must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMP to the Department for approval.
21. In assessing whether to grant approval of an EMP which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982 as amended. Prior to approving an amended EMP, the Department may request such amendments to the EMP as it deems appropriate to ensure that the EMP sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation may apply for an amendment of an EMP, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of GN R.982, 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.
24. The ECO must be appointed before commencement of any authorised activities.
25. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
26. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
27. 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**

28. 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 at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
29. 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 at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
30. 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 GN R. 982, as amended.

31. 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.
32. 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.
33. 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**

34. 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**

35. 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**

36. 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**

37. Disturbance of the red sand dune on the Farm Uizip 413 must be avoided.
  38. Bird Flight Divertors are to be attached to the transmission line for a distance of at least 5.2km each side of the Verreaux's Eagle nests and 5km each side of the Martial Eagle nests.
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39. For the Verreaux's Eagle and Martial Eagle nests, alternative nesting platforms of appropriate design must be designed and constructed in consultation with BirdLife South Africa (BLSA) and the Endangered Wildlife Trust (EWT) in the immediate vicinity of the existing nests.
  40. Pylon replacement activities (including site access) must not occur within 1 000m of the identified Verreaux's Eagle or Martial Eagle new nesting platforms during the breeding period (May, June, July, August, September).
  41. An area 1 000m from the new nesting platforms must be clearly demarcated during these periods and considered to be temporary 'No-Go' areas.
  42. An appropriately suitably qualified Terrestrial Ecologist, an Aquatic Ecologist, an Archaeologist, a Palaeontologist and an Avifaunal Specialist must be present for the 'walk-through' of the approved corridor, to identify spans that mitigate the impact of collisions and tower/pylon placements that avoid sensitive vegetation and watercourses.
  43. The final route alignment must be submitted to this Department prior to construction commencing.
  44. All construction camps, lay down areas, batching plants or areas and any stores must be more than 32m from any demarcated water courses and 50m from a wetland.
  45. Anti-collision devices such as bird flappers must be installed where the power line crosses 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.
  46. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
  47. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
  48. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
  49. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
  50. 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.
  51. 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.
  52. Any solid waste, which will not be recycled, 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). No waste material may be left on site after construction.
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53. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.
54. The recommendations of the EAP in the BAR dated October 2021 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

### General

55. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 55.1. at the site of the authorised activity;
  - 55.2. to anyone on request; and
  - 55.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
56. 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: 26/11/2021

  
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 20 August 2021.
- b) The information contained in the BAR dated October 2021.
- c) The comments received from interested and affected parties as included in the BAR dated October 2021.
- d) Mitigation measures as proposed in the BAR and the EMPr dated October 2021.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated October 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 for the proposed project stems from the evacuation of electricity from the Avondale Hybrid Solar Facility to the national grid.
- c) The BAR dated October 2021 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated October 2021 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.

### 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 BAR dated October 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 BAR dated October 2021 is deemed to be accurate and credible.

- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR dated October 2021 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, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

*MS*