



# 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:** 14/16/12/3/3/1/2625

**Enquiries:** Ms. Sindiswa Dlomo

**Telephone:** (012) 399 9390 **E-mail:** [sdlomo@dfpe.gov.za](mailto:sdlomo@dfpe.gov.za)

Ms. Andrea van Gensen  
Eskom Holdings SOC Ltd  
PO Box 606  
**KIMBERLEY**  
8301

**Cellphone Number:** 082 482 7579

**E-mail:** [vGenseAL@eskom.co.za](mailto:vGenseAL@eskom.co.za)

**PER EMAIL / MAIL**

Dear Mr Van Gensen

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF THE GAMOHAAN SEVEN MILES 22KV POWERLINE IN THE NORTHERN CAPE 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, 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 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 abuse or compromise 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 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.

46.

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@dfre.gov.za](mailto:appeals@dfre.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@dfre.gov.za](mailto:appeals@dfre.gov.za).

Yours faithfully



**Ms. Milicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries, and the Environment**  
Date: *22/03/2023*.

cc:	Mr. Liam Whitlow	Environmental Impact Management Services	Email: <a href="mailto:cheyenne@eims.co.za">cheyenne@eims.co.za</a>
	Ms. Gail Letimela	Northern Cape DAEA, RD& LR	Email: <a href="mailto:gaildenc@gmail.com">gaildenc@gmail.com</a>



## 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

### Construction of the Gamohaam Seven Miles 22kV powerline, Northern Cape Province

#### John Taolo Gaetsewe District Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/2625</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>Eskom Holdings SOC Ltd</i>
<b>Location of activity:</b>	<i>Farm Kuruman Reserve 690 Portion 0 / Remaining Extent Ga-Segonyana Local Municipality Northern Cape Province</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

## 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 –

### **Eskom Holdings SOC Ltd**

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

with the following contact details –

Ms. Andrea van Gensen  
Eskom Holdings SOC Ltd  
PO Box 606  
**KIMBERLEY**  
8301

Cellphone Number: 082 482 7579

E-mail: [vGenseAL@eskom.co.za](mailto:vGenseAL@eskom.co.za)

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

Activity number	Activity description
<p><u>GNR.325. Item 12:</u>  <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan</i>                      (g) Northern Cape:                      ii. <i>Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The proposed activity will require the clearing of indigenous vegetation of more than 300 square metres inside a Critical Biodiversity Area 2 (CBA 2) and an Ecological Support Area.</p>

as described in the Basic Assessment Report (BAR) dated September 2022:

Farm Name, Portions, and 21-Digit SG Code:

Farm name/s, Portions and number/s	SG 21 Code
Farm Kuruman Reserve 690, Portion 0 / Remaining Extent	C04100000000069000000

Coordinates for the development:

Project site coordinates	
Start Point: 27°22'45.905"S	23°21'40.352"E;
Middle Point: 27°23'23.399"S	23°22'55.254"E;
End Point: 27°22'10.47"S	23°24'11.682"E.

-for the construction of the Gamohaam Seven Miles 22kV powerline, Northern Cape Province, hereafter referred to as "the property".

The development entails:

- The removal of indigenous vegetation.
- The proposed development will include the installation of a wooden pole of about 30cm in diameter for each pylon structure (~ 86 pylons required). A vertical drill will create a hole and the pole will be dropped in the hole by a crane. No cementing will be necessary.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction of the Gamohaan Seven Miles 22kV powerline in the Northern Cape Province, is approved per the geographic coordinates and property details cited in the table on page 3 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 BAR dated September 2022 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 when approved.
14. Changes to the approved EMPr must be submitted in accordance with 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 BAR 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.
  - 21.1.1. The ECO must be appointed before the commencement of any authorised activities.
  - 21.1.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 21.1.3. The ECO must keep a record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
  - 21.1.4. 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 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. Permits must be obtained prior to any protected flora being disturbed as a result of project activities.
32. If fossil remains are discovered during any phase of construction, either on the surface or exposed by excavations the Chance Find Protocol must be implemented by the ECO/site manager in charge of these developments.
33. These discoveries must be protected (if possible, in situ) and the ECO/site manager must report to SAHRA (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: [www.sahra.org.za](http://www.sahra.org.za)) so that mitigation (recording and collection) can be carried out by a palaeontologist. Preceding any collection of fossil material, the specialist would need to apply for a collection permit from SAHRA.
34. Fossil material must be curated in an accredited collection (museum or university collection), while all fieldwork and reports must meet the minimum standards for palaeontological impact studies suggested by SAHRA.
35. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, 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

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

38. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 22/03/2023.



**Ms. Milicent 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 07 October 2022.
- b) The information contained in the BAR dated September 2022.
- c) The comments received from the SAHRA, other I&APs, and interested and affected parties as included in the BAR dated September 2022.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated September 2022 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in FBAR	Date issued
Andrew Husted	Aquatic biodiversity statement	11 November 2022
Michael Schrenk	Terrestrial Biodiversity and Wetland Assessment	August 2022
Michell Sachse	Heritage Impact Assessment	08 September 2022
Elize Butler	Palaeontological Desktop Assessment	22 August 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 proposed powerline project forms part of an electrification project funded by the Department of Mineral Resources and Energy (DMRE) and is dependent on the completion of the Gamohaan 132kV/ 22kV sub-station (CN-STM-1704-4140). Furthermore, the proposed powerline will provide relief to constraints currently experienced on the Riries- Maruping 22kV overhead line, during the peak period. The integrated development plan (IDP) of John Taolo Gaetsewe District Municipality, indicated that there is a need for electricity in the Seven Miles and Mokala-Mosesane residential areas, and is identified as one of the high-priority needs of the community. This project will unlock capacity for the new electrification loads in the area.

- c) The BAR dated September 2022 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the project.
- e) The methodology used in assessing the potential impacts identified in the BAR dated September 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.

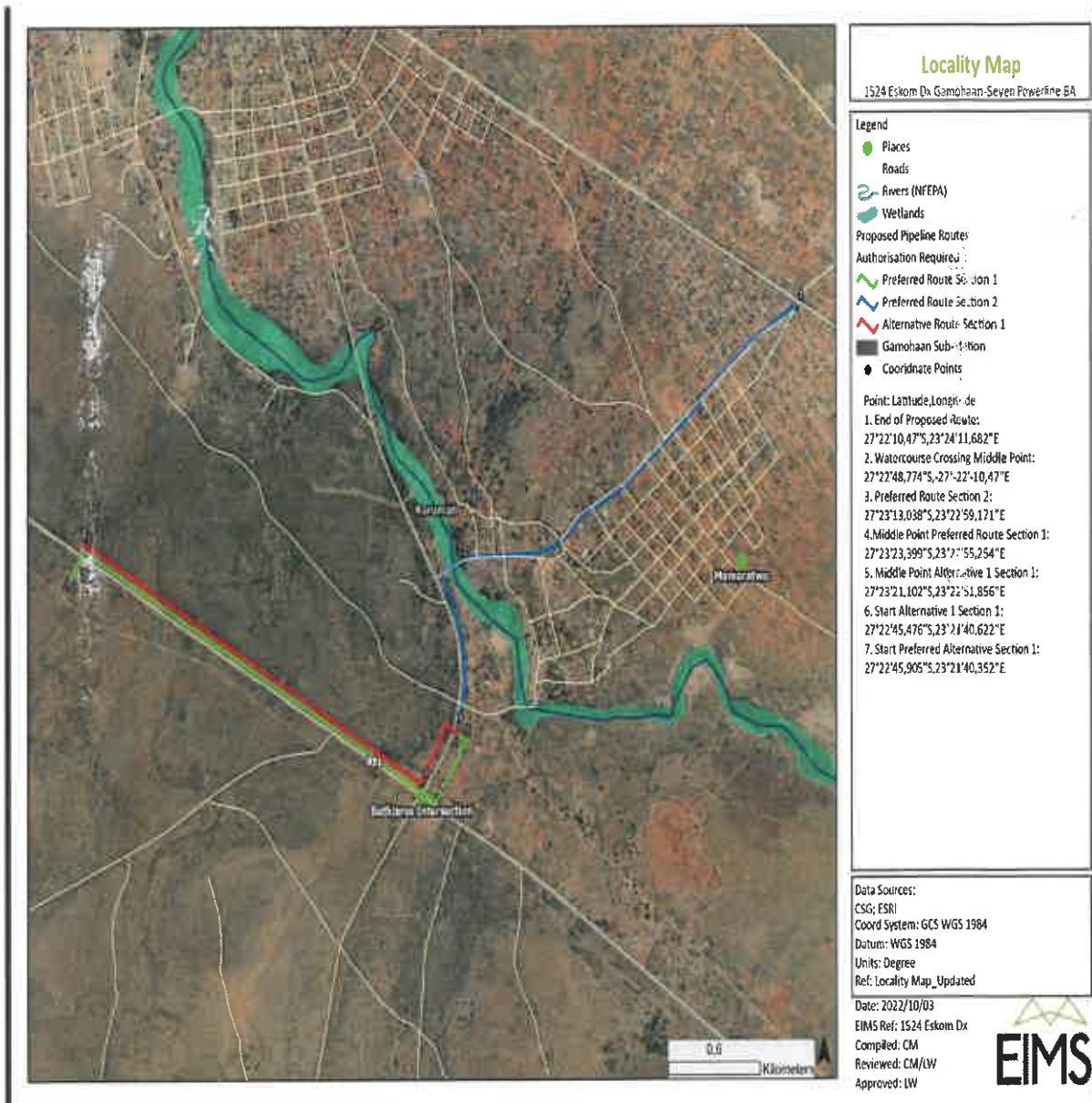
### 3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The proposed new 22kV powerline route will run from the existing Gamohaam substation along the R31 provincial road toward Kuruman town where the powerline will turn north at the Bathlaros intersection for 1,1km towards the community of Mamoratwe at which point the powerline will turn east towards Seven Miles where it will cross the Kuruman watercourse.
- b) The section of the proposed powerline that runs parallel to the R31 and then turns north towards Mamoratwe will require the surface removal of indigenous vegetation, using chainsaws and cutters.
- c) The identification and assessment of impacts are detailed in the BAR dated September 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- d) The procedure followed for impact assessment is adequate for the decision-making process.
- e) The information contained in the BAR dated September 2022 is deemed to be accurate and credible.
- f) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- g) EMPr measures for the pre-construction, construction, and rehabilitation phases of the development were proposed and included in the BAR 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 1: Locality Plan



MS



# 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, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +86 625 1042

Enquiries: Devinagle Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dffe.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 Devinagle Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



*Batho pele*- putting people first

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

### ACKNOWLEDGEMENT

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

Date: 27/02/2023