



# 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:** 14/12/16/3/3/1/2710  
**Enquiries:** Ms Olivia Letlalo  
**Telephone:** (012) 399 8815 **E-mail:** [oletlalo@dfffe.gov.za](mailto:oletlalo@dfffe.gov.za)

Mr Lance Blaine  
Red Cap Hoogland 1 (Pty) Ltd  
Unit B2, Mainstream Centre  
Hout Bay  
**CAPE TOWN**  
7806

**Telephone Number:** 021 790 1392  
**Cell phone Number:** 083 235 6737  
**Email Address:** [lance@red-cap.co.za](mailto:lance@red-cap.co.za)

## PER E-MAIL / MAIL

Dear Mr Blaine

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR THE PROPOSED CONSTRUCTION OF A NEW ~110KM 400KV GAMMA GRIDLINE CONNECTION FROM THE AUTHORISED NUWEVELD WIND FARM DEVELOPMENT COLLECTOR SUBSTATION TO THE 132/400KV GAMMA SUBSTATION IN NORTH OF THE TOWN OF BEAUFORT WEST WITHIN THE WESTERN AND NORTHERN CAPE PROVINCES**

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

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

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

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

By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083, or

By post: Private Bag X447  
Pretoria  
0001

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

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

Yours faithfully

  
**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries, and the Environment**  
Date: 10/07/2023

cc:	Belinda Clark	CEN Integrated Environmental Management Unit	Cell: 072 725 6400	Email: <a href="mailto:bclark@telkomsa.net">bclark@telkomsa.net</a> / <a href="mailto:steenbok@aerosat.co.za">steenbok@aerosat.co.za</a>
	Gavin Benjamin	Department of Environmental Affairs & Development Planning (DEA&DP)	Tel: 044 805 8633 Cell: 071 624 5237	Email: <a href="mailto:gavin.benjamin@westerncape.gov.za">gavin.benjamin@westerncape.gov.za</a>
	Elsabe Swart	Northern Cape Department of Environment & Nature Conservation (DENC)	Tel: 053 807 7420	Email: <a href="mailto:elsabeswart.denc@gmail.com">elsabeswart.denc@gmail.com</a>
	Ashley Mitchell MJ Penxa (MM)	Beaufort West Local Municipality	Tel: 023 414 8100	Email: <a href="mailto:buildingcontrol@beaufortwestmun.co.za">buildingcontrol@beaufortwestmun.co.za</a> <a href="mailto:jacksonp@beaufortwestmun.co.za">jacksonp@beaufortwestmun.co.za</a>
	Acting MM: Nonceba Mkontwana	Ubuntu Local Municipality	Tel: 053 621 0026	Email: <a href="mailto:nmkontwana@ubuntu.gov.za">nmkontwana@ubuntu.gov.za</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 25 of the Environmental Impact Assessment Regulations, 2014, as amended

Proposed construction of a New ~110km 400kV Gamma Gridline Connection from the authorised Nuweveld Wind Farm Development Collector Substation to the 132/400kV Gamma Substation in north of the Town Beaufort West within the Western and Northern Cape Provinces

Central Karoo and Pixley Ka Seme District Municipalities

<b>Application Register Number:</b>	<i>14/12/16/3/3/1/2710</i>
<b>Applicant:</b>	<i>Red Cap Hoogland 1 (Pty) Ltd</i>
<b>Location of activity:</b>	<i>Ward 1, 2, &amp; 7 in Beaufort West Local Municipality and Ward 3 in Ubuntu Local Municipality, of Central Karoo and Pixley Ka Seme District Municipalities, within Western and Northern Cape Provinces</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 –

### **Red Cap Hoogland 1 (Pty) Ltd**

with the following contact details –

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Unit B2, Mainstream Centre  
Hout Bay  
**CAPE TOWN**  
7806

**Telephone Number:** 021 790 1392  
**Cell phone Number:** 083 235 6737  
**Email Address:** [lance@red-cap.co.za](mailto:lance@red-cap.co.za)

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><b><u>Listing Notice 1, Activity 12(ii)(c):</u></b>  <i>"The development of—</i>  <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more,</i>  <i>where such development occurs—</i>  <i>(a) within a watercourse.</i>  <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	<p>The Corridor hosts several ephemeral watercourses. No pylons are to be placed within active river channels, but some will occur within 32m of these features. Existing tracks and roads will be used as far as possible to minimise any new impacts on these systems, but some access tracks will cross watercourses to ensure access to the grid. Therefore, more than 100m<sup>2</sup> will be disturbed within 32m of watercourses.</p>
<p><b><u>Listing Notice 1, Activity 19:</u></b>  <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, shell grot, pebbles or rock of more than 10 cubic metres from a watercourse,</i></p>	<p>The Corridor hosts several ephemeral watercourses. No pylons are to be placed within active river channels, and existing tracks and roads will be used as far as possible to minimise any new impacts on these systems, but some access tracks will cross watercourses to ensure access to the grid. Therefore, more than 10m<sup>3</sup> of material will be infilled and/ or excavated from watercourses.</p>
<p><b><u>Listing Notice 1, Activity 27(i):</u></b>  <i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for,</i>  <i>(i) the undertaking of a linear activity; or</i></p>	<p>More than 1 ha of indigenous vegetation will be cleared for lay-down areas.</p>
<p><b><u>Listing Notice 1, Activity 28(ii):</u></b>  <i>Residential, mixed, retail, commercial, industrial, or institutional developments where such land was used for agriculture, game farming, equestrian purposes or</i></p>	<p>The Corridor is located outside an urban area, and the area to be developed exceeds 1ha in size. Development of the transmission infrastructure is considered industrial development. Majority of</p>

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<p><i>afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p>	<p>land within the Corridor is used for Agricultural purposes.</p>
<p><b><u>Listing Notice 2, Activity 9:</u></b></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275kilovolts or more, outside an urban area; or industrial complex</i></p>	<p>The capacity of the Gamma Grid line is 400kV</p>
<p><b><u>Listing Notice 3, Activity 4g(ii)(ee)&amp; i(ii)(aa):</u></b></p> <p>The development of a road by wider than 4 metres with a reserve less than 13.5 metres.</p> <p>g. in the Northern Cape</p> <p>ii. outside urban areas</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p> <p>i. in the Western Cape</p> <p>ii. outside urban areas</p> <p>(aa) Areas containing indigenous vegetation</p>	<p>While existing roads will be used where these run along the gridline, access tracks (of up to 4.5m wide) will need to be established for construction and maintenance of pylons. Relatively large parts of the proposed gridline and access tracks in the Northern Cape include CBA and ESAs in the Northern Cape CBA map (2016), which is a systematic biodiversity plan. The proposed gridline and access tracks in the Western Cape are predominantly outside urban areas and contain indigenous vegetation.</p>
<p><b><u>Listing Notice 3, Activity 14ii(a)(c)(g)(ii)(ff):</u></b></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>(a) within a watercourse.</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>g. in the Northern Cape</p> <p>ii. outside urban areas</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>The Corridor hosts several ephemeral watercourses. No pylons are to be placed within active river channels, but some will occur within 32m of these features in CBAs. Some access tracks will cross watercourses to ensure access to the grid. Therefore, more than 10m<sup>2</sup> will be disturbed within 32m of watercourses.</p> <p>Large parts of the Corridor are within CBAs in terms of the Northern Cape CBA map. NCDENC has not confirmed in writing whether they have formally adopted this plan, however it is referenced as a systematic biodiversity plan on SANBI's BGIS platform. The map is not gazetted</p>

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	as the bioregional plan. The DEA&DP have confirmed in writing that the Western Cape-Bioregional Plan has not been adopted by the province, nor gazetted as Bioregional Plan, therefore this activity is not relevant to the portion of the development in the Western Cape.
<p><b><u>Listing Notice 3, Activity 18g(ii)(ee)(ii)&amp; i(ii)(aa)</u></b></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>g. in the Northern Cape</i></p> <p><i>ii. outside urban areas</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans,</i></p> <p><i>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</i></p> <p><i>i. in the Western Cape</i></p> <p><i>ii. outside urban areas</i></p> <p><i>(aa) Areas containing indigenous vegetation</i></p>	Existing access tracks will need to be widened and lengthened by more than 1km for use during construction phase and/or for maintenance purposes in operational phase. Some of the access tracks will need to cross watercourses and/or wetlands or their respective buffer areas and would require clearing of indigenous vegetation. CBAs in the Northern Cape CBA Map will also be affected by expansion of access tracks.

as described in the final Basic Assessment Report (BAR) dated 15 May 2023:

PROPERTY DETAILS INTERSECTED BY THE GAMMA GRID REFINED CORRIDOR		
Farm Name	Farm Number	21-Digit SG Code
SNEEUW KRAAL	46	C0090000000004600000
SNEEUW KRAAL	47	C0090000000004700000
DUIKER KRANSE	RE/45	C0090000000004500000
DUIKER KRANSE	RE/3/45	C0090000000004500003
VLAK FONTEIN	4/207	C08000000000020700004
VLAK FONTEIN	1/207	C08000000000020700001
EZELSFONTEIN	RE/235	C08000000000023500000
EZELSFONTEIN	RE/235	C08000000000023500000
GROOTKLIP	RE/238	C08000000000023800000
RIETKLOOF PLAATEN	RE/239	C08000000000023900000
GROOTKLIP	RE/238	C08000000000023800000

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WATERVAL	RE/237	C08000000000023700000
MURRAYSBURG RD	RE/176	C05200000000017600000
TAAYBOSCHFONTEIN	RE/15	C05200000000001500000
UIT VLUKT FONTEIN	265	C08000000000026500000
SCHIETKUIL	1/3	C05200000000000300001
DOORN KLOOF	RE/224	C08000000000022400000
AANGRESEND ABRAMS KRAAL	11	C00900000000001100000
PHAISANT KRAAL	1	C05200000000000100000
KOOK FONTEIN	RE/226	C08000000000022600000
KLEINFONTEIN	RE/93 C	C06300000000009300000
SCHIETKUIL	3	C05200000000000300000
TAAYBOSCHFONTEIN	RE/1/15	C05200000000001500001
ZWARTKOPJES	RE/240	C08000000000024000000
MODDERFONTEIN	1/228	C08000000000022800001
MORDANT KLAASSENSKRAAL	RE/11/14	C0520000000001400011
UIT VLUKT FONTEIN	1/265	C08000000000026500001
DRUPFONTEIN	1/208	C08000000000020800001
BRAKFONTEIN	3/225	C08000000000022500003
PAARDEBERG	2/49	C00900000000004900002
AASVOGELBERG	1/59	C00900000000005900001
ABRAMS KRAAL	RE/206	C08000000000020600000
DRUPFONTEIN	2/208	C08000000000020800002
VLAK FONTEIN	3/207	C08000000000020700003
GABRIELS BAKEN	2	C0520000000000200000
DUIKER KRANSE	4/45	C00900000000004500004
BRAKFONTEIN	1/225	C08000000000022500001
BRAKFONTEIN	1/225	C08000000000022500001
EZELSFONTEIN	2/235	C08000000000023500002
EZELSFONTEIN	3/235	C08000000000023500003
EZELSFONTEIN	4/235	C08000000000023500004
RIETKLOOF PLAATEN	1/239	C08000000000023900001
ANNEX NOBELS FONTEIN	RE/234	C08000000000023400000
EZELSFONTEIN	5/235	C08000000000023500005
EZELSFONTEIN	1/235	C08000000000023500001



GROOTKLIP	1/238	C08000000000023800001
BRAKFORTEIN	RE/225	C08000000000022500000
AASVOGELBERG	4/59	C00900000000005900004
AASVOGELBERG	2/59	C00900000000005900002
MODDERFORTEIN	3/228	C08000000000022800003
MODDERFORTEIN	4/228	C08000000000022800004
ZWARTKOPJES	1/240	C08000000000024000001
ZWARTKOPJES	2/240	C08000000000024000002
<b>GAMMA REFINED GRID CORRIDOR HAS THE FOLLOWING COORDINATES</b>		
<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
Nuweveld Wind Farm Development Collector Substation	31°51'21.18"S	22°28'37.98"E
Middle	31°48'25.48"S	22°58'26.82"E
End (East)- Gamma Substation	31°40'43.63"S	23°24'29.63"E

- for the proposed construction of a new ~110km 400kV Gamma Gridline Connection from the authorised Nuweveld Wind Farm Development Collector Substation to the 132/400kV Gamma Substation in north of the Town Beaufort West within the Western and Northern Cape Provinces, hereafter referred to as "the property".

Infrastructure associated with the New ~110km 400kV Gamma Gridline Connection will include the following:

Component	Description	Hectares
Overhead lines and pylons	<ul style="list-style-type: none"> <li>▪ 400kV overhead line within ~55m servitude, within a 110km long corridor</li> <li>▪ Conservation pylon footprint: 100m<sup>2</sup>, with an average 400m span</li> </ul>	<ul style="list-style-type: none"> <li>▪ 110km</li> <li>▪ 2.75ha (permanent)</li> </ul>
Access roads and tracks	<ul style="list-style-type: none"> <li>▪ Existing access roads and tracks (upgraded to up to 4.5m wide where needed) will be used as far as possible and new access tracks would be created where needed (up to 4.5m wide).</li> </ul>	<ul style="list-style-type: none"> <li>▪ 46ha (permanent)</li> </ul>
Temporary areas	<ul style="list-style-type: none"> <li>▪ Temporary laydown areas along the Gridline alignment.</li> <li>▪ The main equipment and construction yards will be located along the alignment or based in one of the surrounding towns.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Total estimated area: 5ha (temporary)</li> </ul>
<b>Total disturbance footprint: Temporary</b>		<b>▪ 5 ha</b>
<b>Total disturbance footprint: Permanent</b>		<b>▪ 48.75ha</b>

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## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The pre-negotiated corridor (3km wide) for the construction of a new ~110km 400kV Gamma Gridline Connection from the authorised Nuweveld Wind Farm Development Collector Substation to the 132/400kV Gamma Substation in north of the Town Beaufort West within the Western and Northern Cape Provinces 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 for the activity to be undertaken.
8. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

### **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. A copy of the final powerline site layout map within the 55m servitude, taking into consideration the environmental sensitivities that must be avoided as measures recommended by the specialists must be made available for comments to the 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. Existing infrastructure must be used as far as possible e.g., roads. The layout map must have a clear legend with information communicating with that on the map and be overlain with the sensitivity map. The layout map must indicate the following:
  - 12.1. The powerline route within the approved negotiated route of the powerline and its coordinates,
  - 12.2. All associated infrastructure (existing and proposed), such as, but not limited to roads, pylon position and substations,

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- 12.3. The location of sensitive environmental features on site, e.g., Riverine Rabbits habitat, Rhinephyllum broomii species, 1km and 2km buffer around Verreaux's Eagle and Martial Eagle nests, CBA, wetlands, drainage lines, graves, nests, etc. that will be affected,
13. The generic EMPr for the powerline submitted as part of the BAR is approved. The final powerline layout plan must be appended to Part B of the generic EMPr.
14. 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.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. 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**

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. 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.
20. In assessing whether to grant approval of an EMPr which has been updated because 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.
21. 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

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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

22. 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.
  - 22.1. The ECO must be appointed before commencement of any authorised activities.
  - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
  - 22.4. 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

23. 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.
24. 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.
25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
26. 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.
27. 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.

28. 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**

29. 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**

30. 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**

31. 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**

32. A final walkdown as recommended by specialists and interested and affected parties must be conducted for micro siting of the powerline.
33. The areas of very high and high sensitivity i.e., Riverine Rabbits habitat, Rhinephyllum broomii, burial sites, etc, as identified by various specialists must be clearly demarcated as no-go areas.
34. Temporary construction camps must be situated outside the watercourse and buffer areas.
35. The footprint of the development and access routes must be limited to the areas required for actual construction works.
36. A permit must be obtained from the relevant authorities for the removal or disturbance of any TOPs, Red Data listed or provincially protected species prior construction.
37. Eskom approved Bird Flight Diverters must be fitted to the grid line where it transects areas of medium and high sensitivity.

38. Pylons must be located in areas of sub-optimal (degraded) with minimal disruption to intact riparian habitat that is home to Riverine Rabbit.
39. Pylons within and near (within 1km) areas of suitable Dwarf Tortoise habitat must be designed in order to discourage crows from nesting on the structures.
40. Crow nests must be removed from the pylons within and near (within 1 km) mapped areas of suitable habitat regularly.
41. Tortoise proof fencing must be implemented to prevent road mortalities unless suitable underpasses where tortoises can move are built.
42. A 500m powerline exclusion zone must be implemented around dams >5ha and irrigated agricultural lands to reduce the risk of collisions of powerline sensitive species drawn to dams (especially Blue Cranes) and agricultural lands (Blue Cranes and Ludwig's Bustard).
43. The treacherous southern section of the gravel road, between Beaufort West and site, TR05801, must be upgraded by the developer, to improve the safety of the road for all road users, including the personnel commuting to and from the site daily.
44. An on-going alien vegetation removal programmes as well as the rehabilitation and revegetation of the seasonal wetlands and seasonal stream's buffer zones must be implemented.
45. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
46. Should any archaeological sites, artefacts, paleontological fossils, or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
47. Hazardous substances must be stored in a bunded and designated area to avoid accidental leakage into the environment.
48. 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**

49. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 49.1. at the site of the authorised activity,
  - 49.2. to anyone on request; and

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- 49.3. Where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
50. 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: 10/07/2023



**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 23 February 2023, and the amended application form received 16 May 2023.
- b) The information contained in the final BAR dated 15 May 2023.
- c) The comments received from all interested and affected parties as included in the final BAR dated 15 May 2023.
- d) Mitigation measures as proposed in the EMPr for the facility and the generic EMPs included in the final BAR dated 15 May 2023.
- e) The information contained in the specialist studies contained within the appendices of the final BAR.

### 2. Key factors considered in making the decision

All information presented to the Department was considered 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 ties in with the national government policies, plans, and programmes which have relevance to energy planning and production.
- c) The final BAR dated 15 May 2023 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 final BAR dated 15 May 2023 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 final BAR dated 15 May 2023 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

- d) 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