

04 October 2017

**REALIGNMENT OF A SECTION OF THE MN73 TO ACCOMMODATE SOLAR ENERGY FACILITIES NEAR THE
PAULPUTS SUBSTATION, NORTHERN CAPE PROVINCE
REF: NC/BA/06/NAM/KHA/PAU1/2017
NOTIFICATION OF GRANTING OF ENVIRONMENTAL AUTHORISATION**

Dear Stakeholder

The Northern Cape Department of Roads and Public Works submitted an application for environmental authorisation to the Northern Cape Department of Environment and Nature Conservation (DENC) for the realignment of a section of the MN73 to accommodate solar energy facilities near the Paulputs Substation, on Portion 4 of the farm Scuitklip 93 within the Khai-Ma Local Municipality, Northern Cape Province.

The applicant hereby advises registered interested and affected parties, as instructed by the decision issued by the DENC on 20 September 2017, and in terms of Regulation 4(2), of the outcome of the application for environmental authorisation. The DENC granted environmental authorisation for the abovementioned project on 13 September 2017.

The reasons for the decision outlined in the EA are as follows:

1. Background

The applicant, Northern Cape Department of Roads and Public Works applied for authorisation to carry out the following activities –

The Re-alignment of a section of the MN73 to accommodate solar energy facilities near Paulputs Substation, Northern Cape Province.

Activity No. 12 of GN. R.983 of 04 December 2014

The development of- (xii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;

Activity No. 19 of GN. R.983 of 04 December 2014

The development of- (xii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs- (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; (a) In Northern Cape: ii. Outside urban areas, in: (dd) Sensitive areas as identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority;

Farm Scuitklip 92, Portion number 4, Khai-Ma Local Municipality, Namakwa District Municipality, Northern Cape, hereafter referred to as "the property".

- a) The applicant appointed Savannah Environmental (Pty) Ltd to apply to undertake a Basic Assessment process
- b) The process followed is a Basic Assessment process in accordance with Appendix 1 of the 2014 regulations.

2. Information considered in making the decision

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

- a) The Environmental Assessment Practitioner complied with NEMA Regulations of 04 December 2014.
- b) Public participation followed is in line with Regulation 41 of 04 December 2014 and proof was submitted together with the Final Basic Assessment Report submitted in respect of this application.
- c) The information contained in the Final Basic Assessment Report dated April 2017.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 and 23 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).
- e) The findings of the site visit undertaken by Ms. Onwabile Ndzumo (DENC) dated 19 July 2017.

3. 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 EAP who prepared the report has the expertise to carry out the basic assessment process.
- b) The attached specialist studies conducted as part of the process to assess the nature and level of impact.
- c) The susceptibility of an area to erosion.
- d) The realigned road will be a single carriageway gravel road with a road reserve of 20m.
- e) The proposed 40m corridor does not have protected trees.
- f) Part of the proposed re-alignment road follows an already disturbed route.
- g) No objections were received from Interested and Affected parties.

4. Findings

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

- a) The proposed realignment will provide safe and adequate access to users utilising the MN73.
- b) Flora assessment was conducted for both dry and wet season.
- c) The proposed mitigations have been formulated to reduce significance to at least a moderate significance rating.
- d) The road alignment will have very little effect on terrestrial species utilising the migration route
- e) The heritage features such as memorial sites, rocky features and scattered artefacts will not be impacted by the realignment.
- f) The availability of water to cater for the project has been confirmed in writing by the Kai !Garib Municipality.
- g) The drainage line onsite has low ecological significance due to past land use practices such as roads and existing facilities.

In view of the above, the Department is satisfied that, subject to compliance with conditions contained in the environmental authorisation, the proposed activity 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

A copy of the environmental authorisation, conditions for authorisation, as well as reasons for the decision can be requested by sending an email to gabriele@savannahsa.com.

NOTICE OF APPEAL PROCESS

As an interested and affected party, your attention is drawn to Chapter 2 of Government Notice No. 993, which prescribes the appeal procedure to be followed. Should you wish to appeal the decision by DENC, you must submit an 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 applicant by the competent authority (i.e. 20 September 2017).

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

The Member of the Executive Council
Ministry of Environment & Nature Conservation

By post: Private Bag X6102
Kimberley
8300

By hand: T-Floor, Metlife Towers, Kimberley, 8300

Fax: (053) 832 1026

Please note that appeals should be submitted to the DENC and not to the consultant (Savannah Environmental).

Kind regards

Gabriele Stein
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