



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

**DFFE Reference:** 14/12/16/3/3/2/2094

**Enquiries:** Mr Lunga Dlova

**Telephone:** (012) 399 8524 **E-mail:** [L.Dlova@ddfe.gov.za](mailto:L.Dlova@ddfe.gov.za)

Mr. Mervin Chetty  
Liquid Telecom South Africa  
401 Old Pretoria Main Road  
Halfway House  
**MIDRAND**  
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### PER EMAIL / MAIL

Dear Mr Chetty

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF A MARINE TELECOMMUNICATIONS SYSTEM (T3 CABLE SYSTEM) TO BE LANDED AT AMANZIMTOTI, KWAZULU-NATAL ON THE EAST COAST OF SOUTH AFRICA.**

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@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: 30/05/2022.

cc:	Ms Batha Msomi / Ms Michelle Lotz	eThekweni Metropolitan Municipality	Email: <a href="mailto:batha.msomi@durban.gov.za">batha.msomi@durban.gov.za</a> / <a href="mailto:michelle.lotz@durban.gov.za">michelle.lotz@durban.gov.za</a>
	Yugeshni Govender	Department of Economic Development, Tourism and Environmental Affairs (DEDTEA) (eThekweni office)	Email: <a href="mailto:yugeshni.govender@kzndard.gov.za">yugeshni.govender@kzndard.gov.za</a>
	Ashleigh McKenzie	ACER (Africa) Environmental Consultants	Email: <a href="mailto:Ashleigh.mckenzie@acerafrica.co.za">Ashleigh.mckenzie@acerafrica.co.za</a>

DFRE Reference: 14/12/16/3/3/2/2094

Project title: the construction of a marine telecommunications system (T3 Cable System) to be landed at Amanzimtoti, KwaZulu-Natal on the east coast of South Africa.



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The construction of a Marine Telecommunications System (T3 Cable System) to be landed at  
Amanzimtoti, Kwazulu-Natal on the East Coast of South Africa.

eThekweni Metropolitan Municipality (South)

<b>Authorisation register number:</b>	14/12/16/3/3/2/2094
<b>Last amended:</b>	Second issue
<b>Holder of authorisation:</b>	Liquid Telecom South Africa
<b>Location of activity:</b>	KwaZulu Natal Province: within Ward 07 of the City of eThekweni Metropolitan Municipality (South) near Amanzimtoti.

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 –

### LIQUID TELECOM SOUTH AFRICA

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

with the following contact details –

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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, Item 15</u></b></p> <p><i>The development of structures in the coastal public property where the development footprint is bigger than 50 square metres.</i></p>	<p>The project will entail the landing of a marine telecommunications cable at Amanzimtoti Pipeline Beach.</p> <p>This will require digging of a trench across the beach into the intertidal zone and the installation of the telecommunications cable, anchor block, system earth and associated activities. Horizontal Directional Drilling is proposed to route the cable under the dune between the anchor block and the Beach Manhole. An underground Beach Manhole will be constructed on the sea edge of the beach carpark (approximate dimensions: 3m length x 1.8m height x 2m width). A 50 m section of new trenching will be excavated across the beach carpark to join up with existing underground ducts which link to the existing Liquid Telecom Cable Landing Station at Umbogintwini.</p>
<p><b><u>Listing Notice 1 Item 17</u></b></p> <p>Development-</p> <p>a. in the sea;</p> <p>c. within the littoral active zone;</p> <p>d. in front of a development setback; or</p> <p>e. if no development setback exists, within a distance of 100 metres inland of the high- water mark of the sea or an estuary, whichever is the greater;</p> <p>in respect of-</p> <p>v. infrastructure with a development footprint of 50. square metres or more.</p>	<p>The project will entail the landing of a marine telecommunications cable at Amanzimtoti Beach. This will require digging of a trench across the beach into the intertidal zone and the installation of the telecommunications cable, anchor block, system earth and associated activities.</p> <p>Horizontal Directional Drilling is proposed to route the cable under the dune between the anchor block and the Beach Manhole. An underground Beach Manhole will be constructed on the sea edge of the beach carpark</p>

	(approximate dimensions: 3m length x 1.8 m height x 2m width). A 0,05 km section of new trenching will be excavated across the beach carpark to join up with existing underground ducts which link to the existing Liquid Telecom Cable Landing Station at Umbogintwini. The subsea cable will be buried to a depth of approx. 2m, at water depths < 1,000 m, to provide additional protection.
<p><b><u>Listing Notice 1 Item 18</u></b></p> <p><i>The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where -</i></p> <p><i>i. the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan;</i></p>	<p>Rehabilitation of dune vegetation at Amanzimtoti Beach will be undertaken if construction activities associated with the laying of the underground telecommunications cable disturb vegetation on the shoreline. However, Horizontal Directional Drilling is proposed from the Beach Manhole to approx. 70 m seawards, to avoid impacting dune vegetation.</p>
<p><b><u>Listing Notice 1 Item 19A</u></b></p> <p><i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from -</i></p> <p><i>(i) the seashore;</i></p> <p><i>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or</i></p> <p><i>(iii) the sea; —</i></p>	<p>The project will entail the excavation and deposition of more than 5 m<sup>3</sup> of material within 100 m of the high-water mark of the sea. This will result from construction of the Beach Manhole on the sea edge of the beach carpark at Amanzimtoti Pipeline Beach and when trenching for, and backfilling of, the terrestrial portion of the cable occurring within 100 m of the high-water mark of the sea, as well as for the marine telecommunications cable and system earth across the beach.</p>
<p><b><u>Listing Notice 2 Item 14</u></b></p> <p><i>The development and related operation of-</i></p> <p><i>(ii) an anchored platform; or</i></p>	<p>The marine cable will be placed on the surface of the seabed in deep water (depths approx. &gt; 1,000m). In</p>

<p><i>(iii) any other structure or infrastructure – on, below or along the seabed.</i></p>	<p>shallower waters (depths less than approx. 1,000 m) the cable will be buried under the seabed to provide extra protection, to a target depth of 2m, where the substrate allows.</p>
<p><b><u>Listing Notice 2 Item 26</u></b></p> <p><i>Development--</i></p> <p><i>i. in the sea;</i></p> <p><i>iii. within the littoral active zone;</i></p> <p><i>v. if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of–</i></p> <p><i>c) inter- and sub-tidal structures for entrapment of sand;</i></p> <p><i>h) underwater channels;</i></p> <p><i>but excluding the development of structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p>	<p>Although unlikely to be triggered, this listed activity has been included as the trench for the marine cable may result in the entrapment of sand within the inter- and sub-tidal zones. In addition, the trench in which to bury the cable may be construed as an underwater channel.</p>
<p><b><u>Listing Notice 3 Item 12</u></b></p> <p><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></p> <p><i>d. In KwaZulu Natal</i></p> <p><i>(iv) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>(v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The trenching and laying of the cable across the beach and inland of the Beach Manhole will require crossing of a vegetated dune, which could entail clearance of indigenous primary dune vegetation within a Critical Biodiversity Area and/or within 100 m inland of the high-water mark of the sea. This may add up to an area of greater than 300 square meters.</p> <p>Horizontal Directional Drilling has been proposed to avoid vegetation clearance on the primary dune however this listed activity has been included should vegetation clearance be required for construction of the BMH.</p>

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<p>(vi) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas.</p>	
<p><b><u>Listing Notice 3 Item 14</u></b></p> <p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</p> <p>(b) in front of a development setback; or</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>(d) In KwaZulu-Natal, in</p> <p>vii Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>i. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</p>	<p>The project will entail development of infrastructure with a physical footprint of more than 10 square meters (Beach Manhole and ducting towards the Cable Landing Station) in public open space and/or within a Critical Biodiversity Area and/or within 100 m inland of the high-water mark of the sea.</p>

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as described in the Environmental Impact Assessment Report (EIAr) dated February 2022 at:

the locality plan for the marine telecommunications system (T3 Cable System) to be landed at Amanzimtoti, KwaZulu-Natal on the east coast of South Africa is attached as **Annexure 2**.

Type	Farm name	SG 21-digit code	Minor division	Farm/Erft No	Portion
Erven	Amanzimtoti	N0ET04430000014300000	443	143	0
Erven	Amanzimtoti	N0ET04430000079100000	443	791	0
Erven	Amanzimtoti	N0ET04430000272800000	443	2728	0
Erven	Amanzimtoti	N0ET04430000014400000	443	144	0
Erven	Amanzimtoti	N0ET04430000079200000	443	792	0
Erven	Amanzimtoti	N0ET04430000079300000	443	793	0
Erven	Amanzimtoti	N0ET04430000295900000	443	2959	0
Erven	Amanzimtoti	N0ET04430000296200000	443	2962	0
Erven	Amanzimtoti	N0ET04430000215500000	443	2155	0
Erven	Amanzimtoti	N0ET04430000263400000	443	2634	0
Erven	Amanzimtoti	N0ET04430000295900000	443	2959	0
Erven	Amanzimtoti	N0ET04430000014100000	443	141	0
Erven	Amanzimtoti	N0ET04430000079400000	443	794	0
Erven	Amanzimtoti	N0ET04430000171700000	443	1717	0
Farm portion	Umlazi Location	N0ET00000000467600928	N/A	4676	928

GPS Co-ordinates of the proposed T3 Cable System infrastructure (approximate)		
Location	Latitude (S)	Longitude (E)
Start of cable at SA EEZ boundary	36° 6.407'	29° 18.954'
Mid-point of marine cable	33° 13.300'	30° 30.866'
Approximate length of marine cable	622 km	
Anchor Block at Amanzimtoti Pipeline Beach	30° 2.488'	30° 53.903'
Width of the offshore cable corridor authorised	500 m (250 m each side of cable)	
Width of the beach crossing corridor authorised	100 m (50 m each side of cable)	

Sea Earth Plate at Amanzimtoti Pipeline Beach	30° 2.485'	30° 53.920'
BMH at Amanzimtoti Pipeline Beach (Alternative 1)	30° 2.465'	30° 53.865'
New section of trenching from BMH, at point of joining existing Liquid Telecom ducting (approx. 50 m in length)	30° 2.445'	30° 53.840'
New trenching where it extends from existing ducting to reach existing CLS building (approx. 50 m in length)	30° 1.564'	30° 53.503'
End of new trenching at existing CLS	30° 1.567'	30° 53.524'
Existing Liquid Telecom Cable Landing Station (CLS)	30° 1.573'	30° 53.520'
Approximate length of existing underground cable ducting to CLS	4.3 km	
Width of the land cable corridor authorised	10 m (5 m each side of cable)	

- for the construction of a Marine Telecommunications System (T3 Cable System) to be landed at Amanzimtoti, Kwazulu-Natal on the East Coast of South Africa., hereafter referred to as “the property”.

The proposed T3 Cable System (Amanzimtoti landing) involves the following activities:

- Pre-installation activities including cable route survey and route engineering. The Marine Cable Route Survey has already been undertaken to determine the suitability of the substrate and topography of the ocean floor. This includes a geophysical survey using echo sounders and sonar techniques and a geotechnical survey involving cone penetrometer tests and core sampling and analysis.
- Route clearance and Pre-Lay Grapple Run (PLGR).
- Laying of the cable in the offshore environment, preceded by route clearance and including cable burial in water depths less than approximately 1,000 m where possible.
- Laying of the cable within the shallow water environment, which is likely to involve a direct shore end operation where the shore end of the subsea cable is installed directly from the main subsea cable installation vessel and floated to the beach landing point using buoys, assisted by small boats and divers.
- In the shallow water and beach environment articulated pipe will be used to provide additional protection to the cable from the cable anchor block to a water depth of approximately 10 – 15 m.

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- Burial in the seabed to a target depth of 2 m where possible. The route will be adjusted to avoid obvious visible rock. This burial is intended to provide protection to the cable from the hazards posed by ships' anchors, fishing trawls/lines and the like. However, where cables cross outcropping rock, cables are surface laid and pinned to the rock where possible.
- Excavations within the intertidal zone are undertaken to bury the cable before it is anchored into a cable anchor block and BMH which need to be constructed. The BMH is a concrete utility vault where the marine portion of the subsea cable is connected to the terrestrial portion.
- Excavations within the intertidal zone and beach to bury the system earth cable and installation of a system earth on Pipeline Beach.
- On the beach, the cable will be buried to a target depth of 2 meters, substrate permitting. Horizontal Directional Drilling will be used to install the section of cable underneath the vegetated dune.
- The BMH and two short linking sections of underground ducting at either end of the terrestrial section of the cable, will be constructed in readiness for the cable landing.

Two short sections of trenching are required at either end of the land cable to connect the Beach Manhole BMH and Cable Landing Station CLS to the existing underground ducting.

The marine components include:

- Marine fibre-optic cable (approximately 622 km in length) from where it enters the South African EEZ till reaching the BMH on shore at Amanzimtoti Pipeline Beach.

The terrestrial components include:

- BMH (it is intended to construct a new BMH at Amanzimtoti Pipeline Beach).
- System earth at Amanzimtoti Pipeline Beach.
- CLS (it is intended to use the existing Liquid Telecom CLS at Southgate Industrial Park in Umbogintwini, Amanzimtoti).
- Terrestrial fibre optic cable (approx. 4.3 km in length) extending from the BMH to the CLS (it is intended to use Liquid Telecom's existing spare ducting and servitude).
- Two approximately 50 m length extensions of the existing underground ducting are required at each end of the terrestrial portion of the cable, to link the existing ducting to the BMH and the CLS, respectively.

## **Conditions of this Environmental Authorisation**

### **Scope of authorisation**

1. The preferred landing alternative for construction of a Marine Telecommunications System (T3 Cable System) to be landed at Amanzimtoti, KwaZulu-Natal on the East Coast of South Africa is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

### **Notification of authorisation and right to appeal**

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.

10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons of the Competent Authority for the decision.

#### **Commencement of the activity**

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

#### **Management of the activity**

12. The Environmental Management Programme (EMPr) submitted as part of the EIAR dated February 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 to the EIA Regulations applicable at the time.
15. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR 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

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undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.

17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
19. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
20. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

## Monitoring

21. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 21.1. The ECO must be appointed before commencement of any authorised activities.
  - 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 21.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

## **Recording and reporting to the Department**

22. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
23. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
24. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
25. The holder of the authorisation must, in addition, submit 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.
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. In the shallow water and beach environment articulated pipe must be used to provide additional protection to the cable from the cable anchor block to a water depth of approximately 10 – 15 metres.
32. Burial in the seabed must be to a target depth of 2 metres, where possible. The route must be adjusted to avoid obvious visible rock. This burial must be intended to provide protection to the cable from the hazards posed by ships' anchors, fishing trawls/lines and the like. In addition, where cables cross outcropping rock, cables must be surface laid and pinned to the rock where possible.
33. On the beach, the cable must be buried to a target depth of 2 meters, substrate permitting. Horizontal Directional Drilling must be used to install the section of cable underneath the vegetated dune.
34. The Beach Manhole (BMH) and two short linking sections of underground ducting at either end of the terrestrial section of the cable, must be constructed in readiness for the cable landing.
35. The holder of the authorization must ensure the cable laying vessel is well-maintained to minimize noise production from engines.
36. The holder of the authorization must use a suitably qualified crew member as a designated Marine Mammal / Protected Species Observer (MMO/PSO) as recommended.
37. If any shipwreck-related material is recovered from the seabed during the pre-lay grapnel runs it must be retained, kept wet, and the project archaeologist and South African Heritage Resource Agency (SAHRA) must be notified of the find.
38. The potentially anthropogenic linear seabed anomalies in the Inshore Survey area must be avoided during cable installation.
39. Any further geophysical data generated to support installation of the cable system must be archaeologically reviewed for the presence of historical shipwrecks or related material;
40. The contractor in consultation with the ECO must identify and demarcate the extent of the site and associated work areas, as well as temporary exclusion zones on the beach.
41. Appropriate barriers and easily understood signage must be in place to block public access to unsafe areas.
42. The holder of the authorisation must engage with the fishing industry representative prior to the commencement of the construction process in order to ensure that they are aware of the exclusion zones.

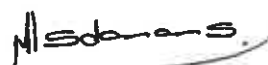


43. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

#### **General**

44. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 44.1. at the site of the authorised activity;
  - 44.2. to anyone on request; and
  - 44.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
45. 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: 30/05/2022.



**Ms Millicent 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 20 August 2021.
- b) The information contained in the EIAR dated February 2021.
- c) The comments received from Department of Water and Sanitation, SAHRA, DFFE Ocean and Coasts, Amafa, WESSA, eThekweni Metropolitan Municipality, Transnet and I&AP's and interested and affected parties as included in the EIAR dated February 2022.
- d) Mitigation measures as proposed in the EIAR and the EMP.
- e) The information contained in the specialist studies contained within the appendices of the EIAR dated February 2021 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in Appendix 5	Date issued
Aquatic Ecosystem Services (AES)	Marine Benthic Shallow Water Impact Assessment	29 October 2021
Capricorn Marine Environmental (Pty) Ltd	Commercial Fisheries Specialist Study	October 2021
Simon Elwen	Marine Mammals Impact Assessment	20 January 2021
WildSkies Ecological Services (Pty) Ltd	Generic Avifaunal Impact Assessment	January 2021
ACO Associates	Heritage Impact Assessment	20 October 2021
Pisces Environmental Services (Pty) Ltd	Marine Ecology Assessment	October 2021
SDP Ecological and Environmental Services	Coastal Impact Assessment	October 2021
Environmental Assurance (Pty) Ltd.	Ecological Impact Assessment	18 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 and desirability for the submarine telecommunication cables are essential for international telecommunications as they currently transport almost 100% of transoceanic internet traffic throughout the world. It is widely recognised that access to affordable international bandwidth is key to unlocking economic development in every country. Today, Africa relies primarily on satellites with few marine cables to provide its international communications. Improvement in Africa's information technology infrastructure via telecommunication cables will remove one of the current key inhibitors to development in Africa and support economic growth and opportunities on the continent.
- c) The EIAR dated February 2022 identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- d) The location of the proposed project.
- e) The methodology used in assessing the potential impacts identified in the EIAR dated February 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.

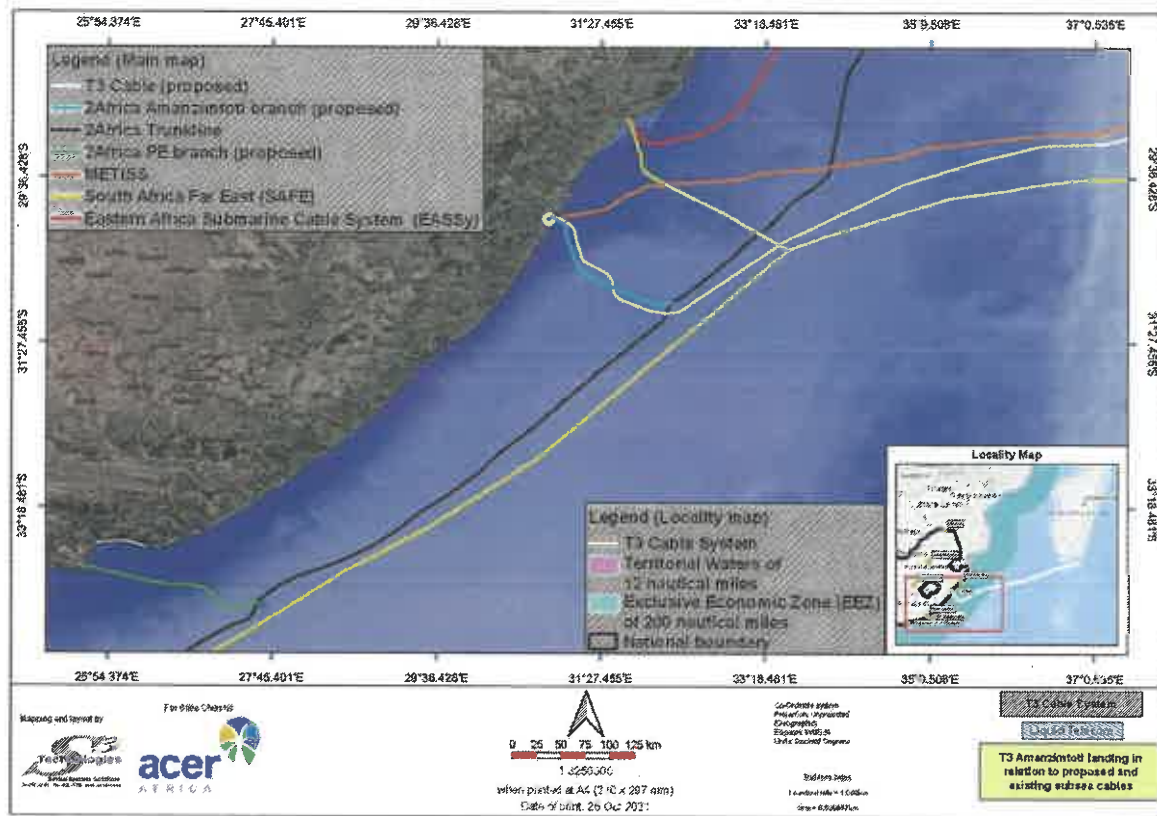
## **3. Findings**

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

- a) The identification and assessment of impacts are detailed in the EIAR dated February 2022 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 EIAR dated February 2022 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

## Annexure 2: Locality Plan



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**forestry, fisheries  
& the environment**

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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Ms. Milicent Solomons  
Director: Prioritized Infrastructure Projects

Dear Mrs Solomons

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS  
FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022**

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations 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 1996), 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 Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms. Devinagie Bendeman  
Deputy Director-General: RSCSM (Regulatory Compliance and  
Sector Monitoring)

Date 20 April 2022

**ACKNOWLEDGEMENT**

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorizations

Signed:

Date:

20/04/2022