



# environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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

**DEA Reference:** 14/12/16/3/3/1/2134

**Enquiries:** Thabile Sangweni

**Telephone:** (012) 399 9409 **E-mail:** TSangweni@environment.gov.za

Mr Sheldon Vandrey  
Wonderheuvel Solar Power (Pty) Ltd  
PO Box 71664  
**PORT ELIZABETH**  
6001

**Telephone Number:** (041) 506 4900  
**Cell phone Number:** (082) 325 6062  
**Email Address:** Sheldon.vandrey@edf-re.co.za

## PER E-MAIL / MAIL

Dear Mr Vandrey

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE WONDERHEUVEL GRID CONNECTION AND ITS ASSOCIATED INFRASTRUCTURE NEAR NOUPOORT AND MIDDELBURG IN THE NORTHERN AND EASTERN 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 14 (fourteen) days of the date of the EA, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

Your attention is drawn to Chapter 2 of the National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@environment.gov.za](mailto:appeals@environment.gov.za);

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

By post: Private Bag X447  
Pretoria  
0001

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

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

Yours faithfully



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

Date: 12/11/2020

cc: S Jacobs

Sivest SA (Pty) Ltd

Email: [stephan@sivest.co.za](mailto:stephan@sivest.co.za)



## environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

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

Wonderheuvel grid connection and its associated infrastructure near Noupoort and Middelburg in the  
Northern and Eastern Cape Provinces

Pixley Ka Seme and Chris Hani District Municipalities

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/2134</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>Wonderheuvel Solar Power (Pty) Ltd</i>
<b>Location of activity:</b>	<i>Portion 8 of the Farm Uitzicht No. 3; Portion 7 of the Farm Uitzicht No. 3; Portion 6 of the Farm Uitzicht No. 3; Remainder of the Farm Mooi Plaats No. 121; Portion 3 of the Farm Wonder Heuvel No. 140; Portion 5 of the Farm Holle Fountain No. 133; Umsobomvu Local Municipality; Inxuba Yethemba Local Municipality; Pixley Ka Seme District Municipality; Chris Hani District Municipality; Eastern Cape Province; 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.

*MS*

## 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 –

### **WONDERHEUVEL SOLAR POWER (PTY) LTD**

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

with the following contact details –

Mr Sheldon Vandrey  
Wonderheuvel Solar Power (Pty) Ltd  
PO Box 71664  
**PORT ELIZABETH**  
6001

Telephone Number: (041) 506 4900  
Cell phone Number: (082) 325 6062  
Email Address: Sheldon.vandrey@edf-re.co.za

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

Listing notice 1 of the EIA Regulations of 2014, as amended	Activity description
<p><u>Item 11:</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity –</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV."</i></p>	<p>The proposed development involves the construction of one (1) new on-site substation, one (1) new collector substation and an associated overhead power line which will be located outside an urban area. The proposed power line will have a capacity of 132kV, while the proposed on-site substations and collector substation will each have a capacity of 33/132kV. In addition, the on-site substations and collector substation will each occupy a footprint of approximately 4ha.</p>
<p><u>Item 12:</u> <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 proposed development involves the construction of one (1) new on-site substation, one (1) new collector substation and an associated overhead power line which will have a physical footprint of 100m<sup>2</sup> or more. The infrastructure avoids the identified surface water features (drainage lines) where possible, although some structures may be within a watercourse and/or within 32m of a watercourse.</p>
<p><u>Item 19:</u> <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells,</i></p>	<p>The surface water impact assessment revealed that there are surface water features located within the development area. The construction of the proposed</p>

<p><i>shell grit, pebbles or rock of more than 10 cubic metres from</i></p> <p><i>(i) a watercourse."</i></p>	<p>development will thus likely involve the excavation, removal, infilling, depositing and moving of more than 10m<sup>3</sup> of soil, sand, pebbles or rock from some of the identified watercourses.</p> <p>Although the layout of the proposed development will be designed to avoid the identified surface water features/watercourses as far as possible, some of the internal and access roads may need to traverse the identified surface water features and during construction of these roads, soil may need to be removed from some of the identified watercourses.</p>
<p><b>Item 24:</b></p> <p><i>"The development of a road –</i></p> <p><i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>Internal access roads will likely be required to access the proposed onsite Eskom substation site, the Eskom collector substation site and the power lines. At this stage it is proposed that these internal access roads will be up to approximately 14m during construction (to be partly rehabilitated) and between 4m and 12m during operation. Existing site roads will be used wherever possible. However, where required, internal access roads will be constructed.</p>
<p><b>Item 27:</b></p> <p><i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation."</i></p>	<p>The proposed development includes the clearance of an area of 1ha or more, but less than 20ha of indigenous vegetation. The proposed development involves the construction of one (1) new on-site substation and one (1) new collector substation which will each occupy an area of approximately 4ha. All vegetation on the on-site and collector substation sites will need to be cleared for construction. Cleared vegetation will amount to an area of up to approximately 12ha.</p>

<p><b>Item 28:</b>  <i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:  (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</i></p>	<p>The proposed development site is currently used and zoned for agricultural purposes and will result in special zoning being required, as an area greater than 1ha will likely be transformed into industrial/commercial use.</p>
<p><b>Item 31:</b>  <i>“The decommissioning of existing facilities, structures or infrastructure for –  (i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014.”</i></p>	<p>Should the proposed development’s PPA not be renewed after 20 years (anticipated operational lifespan of proposed development), the proposed development might need to be decommissioned. This would include the decommissioning of the substation sites as well as the overhead power lines connecting the substations to the grid.</p>
<p><b>Item 48:</b>  <i>“The expansion of –  (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more;  where such expansion occurs –  (a) within a watercourse; or  (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.”</i></p>	<p>The proposed development will most likely entail the expansion (upgrading) of roads and other infrastructure by 100m<sup>2</sup> or more within an identified watercourse or within 32m from the edge of an identified watercourse.</p>
<p><b>Item 56:</b>  <i>“The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre-  (i) where no reserve exists, where the existing road is wider than 8 metres.”</i></p>	<p>As mentioned, internal access roads will be required to access the on-site and collector substations. Existing site roads will be used wherever possible, however, where required, internal access roads will be constructed. The existing access roads might thus need to be upgraded by widening them more than 6m, or by lengthening them by more than 1km.</p>

Listing Notice 3 of the EIA Regulations of 2014, as amended	Activity description
<p><u>Item 4:</u>  <i>"The development of a road wider than 4 metres with a reserve less than 13, 5 metres.</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>Internal access roads will be required to access the on-site and collector substations. At this stage it is proposed that these internal access roads will be up to approximately 14m during construction (to be partly rehabilitated) and between 4m and 10m during operation. Existing site roads will be used wherever possible. However, where required, internal access roads will be constructed. These roads will occur within the Northern Cape Province, outside an urban area and the development site contains Critical Biodiversity Areas (CBAs).</p>
<p><u>Item 12:</u>  <i>"The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation</i></p> <p><i>(g) In the Northern Cape:</i></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The proposed development will likely transform more than 300m<sup>2</sup> of indigenous vegetation. Clearance will be required for the proposed on-site substation, collector substation, internal access roads and overhead power line. Clearance will likely occur within a CBA.</p>
<p><u>Item 14:</u>  <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><i>(g) In the Northern Cape:</i></p> <p><i>(ii) Outside urban areas:</i></p>	<p>The proposed development will entail the development of infrastructure or structures with a physical footprint of 10m<sup>2</sup> or more within a watercourse or within 32m from the edge of a watercourse. The proposed development involves the construction of one (1) new on-site substation and one (1) new collector substation which will each occupy an area of approximately 4ha.</p> <p>Although the layout of the proposed development will be designed to avoid the identified surface water features (drainage lines) as far as possible, some of</p>



<p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	<p>the power line pylons and/or internal and access roads will likely need to traverse some of the identified surface water features.</p> <p>The proposed development will be located outside an urban area. In addition, the development of sections of the overhead power line will occur within CBAs.</p>
<p><b>Item 18:</b></p> <p><i>"The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometre:</i></p> <p><i>(a) In the Eastern Cape:</i></p> <p><i>i. Outside urban areas</i></p> <p><i>(ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined</i></p> <p><i>(kk) A watercourse</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>As mentioned, internal access roads will be required to access the on-site and collector substations as well as the overhead power line. Existing site roads will be used wherever possible. However, where required, internal access roads will be constructed. It is thus likely that existing access roads will need to be upgraded. Internal access roads will likely be widened by more than 4m or lengthened by more than 1km. These roads will occur within the Northern and Eastern Cape Provinces, outside an urban area. In addition, this widening of the roads will occur within CBAs, and may also occur within a watercourse and/or within 100m from the edge of a watercourse.</p>
<p><b>Item 23:</b></p> <p><i>"The expansion of –</i></p> <p><i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</i></p> <p><i>where such expansion occurs –</i></p> <p><i>(a) within a watercourse;</i></p>	<p>The proposed development will likely entail the development and expansion of roads and other infrastructure by 10m<sup>2</sup> or more within a watercourse or within 32m from the edge of a watercourse.</p> <p>Although the layout of the proposed development will be designed to avoid the identified surface water</p>

<p><i>(b) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p>	<p>features as far as possible, some of the existing internal and access roads which might be expanded may likely need to traverse some of the identified surface water features.</p>
<p><i>(g) In the Northern Cape:</i> <i>(ii) Outside urban areas:</i> <i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	<p>The proposed development occur within CBAs and are located outside an urban area.</p>

as described in the Basic Assessment Report (BAR) dated August 2020 at:

Preferred 132kV power line corridor	Latitude	Longitude
Start	S31° 21' 43.261"	E24° 40' 17.189"
Middle	S31° 19' 52.522"	E24° 44' 47.268"
End	S31° 21' 20.482"	E24° 49' 16.420"

Preferred on-site and collector substation	Latitude	Longitude
Substation 4a (Eskom Central Collector Substation)	S31° 21' 33.146"	E24° 41' 45.812"
Substation 4b (On-site Eskom Substation)	S31° 21' 43.261"	E24° 40' 17.189"

- for the Wonderheuvel grid connection and its associated infrastructure near Noupoort and Middelburg in the Northern and Eastern Cape Provinces, hereafter referred to as "the property".

The Wonderheuvel grid connection will comprise of the following:

- One (1) new on-site substations and one (1) new collector substation to serve the Wonderheuvel Solar Energy Facility, each occupying an area of approximately up to 4ha;
- A new 132kV overhead power line connecting the on-site and collector substations to the Hydra D Main Transmission Substation; and,
- Internal access roads, up to approximately 14m during construction (to be partly rehabilitated) and between 4m and 12m wide during operation.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The Wonderheuvel grid connection and its associated infrastructure near Noupoort and Middelburg in the Northern and Eastern Cape Provinces as described above, is approved.
2. Construction of the grid connection may only commence once the Wonderheuvel Solar Energy Facility (DEA ref. no.: 14/12/16/3/3/2/1135) has commenced with the construction phase.
3. 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.
4. 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.
5. The activities authorised may only be carried out at the property as described above.
6. 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.
7. 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.
8. 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.
9. Construction must be completed within five (05) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

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

11. 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.
12. The notification referred to must –
  - 12.1. specify the date on which the authorisation was issued;
  - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 12.4. give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

13. 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**

14. The Generic Environmental Management Programme (EMPr) submitted as part of the BAR (Appendix 8) dated August 2020 is approved and must be implemented and adhered to.
15. The final route alignment layout plan must be included in the EMPr and must indicate the following:
  - 15.1. The final delineation of the centreline of the power line within the approved corridor;
  - 15.2. The specific position of the pylon structures and foundation footprints;
  - 15.3. All existing infrastructure on the site, especially roads;
  - 15.4. All sensitive features/areas and/or no-go areas e.g. wetlands and drainage channels that will be affected by the power line; and
  - 15.5. All "no-go" and buffer areas.

16. The EMPr must be amended to include any site specific mitigation measures that may arise when the final walk through is undertaken.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.

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

18. 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.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. 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.
21. 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.
22. 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**

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the

mitigation/rehabilitation measures and recommendations referred to in this Environmental Authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

- 23.1. The ECO must be appointed before commencement of any authorised activities.
- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. 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**

24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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**

30. 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**

31. 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**

32. 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**

33. Appropriately qualified vegetation and wetland specialists must be present for the 'walk-through' of the approved corridor, to identify spans that mitigate the impact of collisions and tower/pylon placements that avoid sensitive vegetation and watercourses.
34. The final route alignment must be submitted to this Department prior to construction commencing.
35. All construction camps, lay down areas, batching plants or areas and any stores must be more than 32m from any demarcated water courses and 50m from a wetland.
36. Anti-collision devices such as bird flappers must be installed where the power line crosses avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
37. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
38. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
39. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.

40. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
41. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
42. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
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.
44. Any solid waste, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008). No waste material may be left on site after construction.
45. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.

### **General**

46. The recommendations of the EAP in the BAR dated August 2020 and the specialist studies attached thereto must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
47. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 47.1. at the site of the authorised activity;
  - 47.2. to anyone on request; and
  - 47.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.



## **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 10 February 2020.
- b) The information contained in the BAR dated August 2020.
- c) The comments received from the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism, the Northern Cape Department of Roads and Public Works, Transnet, Eskom, SANRAL, SAHRA and interested and affected parties as included in the BAR dated August 2020.
- d) Mitigation measures as proposed in the BAR dated August 2020 and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated August 2020.

### **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 of the project is mainly to evacuate the power generated by the Wonderheuvel Solar Energy Facility.
- c) The BAR dated August 2020 identified all legislation and guidelines that have been considered in the preparation of the BAR dated August 2020.
- d) The methodology used in assessing the potential impacts identified in the BAR dated August 2020 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.

### **3. Findings**

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

- a) The identification and assessment of impacts are detailed in the BAR dated August 2020 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) The information contained in the BAR dated August 2020 is deemed to be accurate and credible.
- e) 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, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.