



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: 14/12/16/3/3/2/411/AM2

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 E-mail: Tnyalunga@dffe.gov.za

Ms. Andrea van Gensen
Eskom Holding SOC Limited
P. O. Box 606
KIMBERLY
8301

Telephone Number: (053) 830 5775
Email Address: vgenseal@eskom.co.za

PER EMAIL / MAIL

Dear Mr van Gensen

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 02 JULY 2015 FOR THE PROPOSED ESKOM DISTRIBUTION GRID CONNECTION INFRASTRUCTURE NEAR MURRAYSBURG, BEAUFORT WEST LOCAL MUNICIPALITY WESTERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the above-mentioned application by this Department on 02 July 2015, the amendment dated 25 October 2017, your application for amendment of the EA received by the Department on 07 June 2023, and the acknowledgement letter dated 28 June 2023, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 02 July 2015 as amended, as follows:

Amendment: Extension of the validity period on page 13 of the EA:

The EA's validity period (due to expire on **02 July 2023**) is hereby extended by an additional two (02) years to **02 July 2025**. As such, Condition 7 of the EA dated 02 July 2015 is amended as follows:

"7. The activity must commence within a period of ten (10) years from the date of issue of the environmental authorisation (i.e. the authorisation lapses on 02 July 2025). 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."

The reason for the amendment is as follows:

The EA for the Proposed Eskom Distribution Grid Connection Infrastructure is valid until 02 July 2023, however, this does not provide sufficient time for the IPP to obtain funding and for construction of the WEF and associated grid connection to commence construction before the EA lapses. The Applicant, therefore, wishes to extend the validity period of the grid alignment EA for a period of two (02) years (for the grid alignment EA to lapse on 02 July 2025).

MS

The proposed Eskom Distribution Grid Connection Infrastructure will service the authorised Ishwati Emoyeni WEF which is strategically important for South Africa in terms of electricity generation as the WEF will aid in reducing dependency on coal-fired power stations as well as assisting with load shedding. Without the extension of the validity of the proposed Eskom Distribution Grid Connection Infrastructure, being applied for, the WEF project would not be able to feed electricity into the national grid and meet the identified need of providing a renewable energy source for South Africa as the WEF cannot evacuate electricity without the grid alignment component. The extension of the validity of the EA will also enable ample time for the Proposed Eskom Grid Connection Infrastructure project to comply with condition 2 of the EA (DFFE Ref.: 14/12/16/3/3/2/411) which states that "Construction of this project may only commence once the 140 MW Ishwati Emoyeni Wind Energy Facility (12/12/20/2351), has commenced with the construction phase."

General

This EA amendment letter must be read in conjunction with the EA dated 02 July 2015 as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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.

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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (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.

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;

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

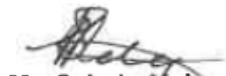
MS

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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



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

Date: 17/02/2023

cc:	Ms. Arlene Singh	Nala Environmental (Pty) Ltd	Email: arlene@veersgroup.com
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