



forestry, fisheries & the environment

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

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

DFFE Reference: 14/12/16/3/3/1/2573

Enquiries: Ms Thembisile Hlatshwayo

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Mr James John Cumming
Msenge Emoyeni Wind Farm (Pty) Ltd
PO Box 23101
CLAREMONT
7735

Telephone number: 021 670 1402
Cell number: 082 900 0550
Email Address: James.Cumming@aced.co.za

PER EMAIL / MAIL

Dear Mr Cumming

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: DEVELOPMENT OF THE NEW PROPOSED 66KV OVERHEAD POWER LINE AND ASSOCIATED INFRASTRUCTURE FOR THE MSENGE EMOYENI WIND ENERGY FACILITY, BLUE CRANE ROUTE LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

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 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 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;

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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 13/09/2022.

cc:	Arlene Singh	Nala Environmental (Pty) Ltd	Email: arlene@veersgroup.com
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forestry, fisheries & the environment

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

Environmental Authorisation

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

Development of the new proposed 66kV Overhead Power line and associated infrastructure for the Msenge Emoyeni Wind Energy Facility, Blue Crane Route Local Municipality, Eastern Cape Province

Sarah Baartman District Municipality

Authorisation register number:	14/12/16/3/3/1/2573
Last amended:	First issue
Holder of authorisation:	Msenge Emoyeni Wind Farm (Pty) Ltd
Location of activity:	Remainder of Farm Leeuw Fontein No. 221; Remaining Extent of Farm Kop Leegte No. 205; Portion 1 of Farm Normandale No. 206; Portion 3 of Farm Plat House No. 203; Remainder of Farm 242 No. 242; Remainder of Farm 148 No. 148; Portion 3 of Farm 148 No.148; Remainder of Farm 260 No. 260; Portion 5 of Farm Van Wyks Kraal No.73 within Blue Crane Local Municipality in the Eastern Cape Province

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 –

MSENGE EMOYENI WIND FARM (PTY) LTD

with the following contact details –

Mr James John Cumming

PO Box 23101

Claremont

7735

Telephone number: 021 670 1402

Cell number: 082 900 0550

Email Address: James.Cumming@aced.co.za

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;</i></p>	<p>A 66kV overhead power line 300m corridor approximately 22,7km long will be developed from the proposed onsite 33kV/132kV substation connection into the Poseidon Substation.</p>
<p><u>Listing Notice 1, Item 12(ii)(a)(c)</u></p> <p><i>The development of</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square meters or more; where such development occurs within</i></p> <p><i>(a) a watercourse and; (c)</i></p> <p><i>(b) within 32 meters of a watercourse, measured from the edge of a watercourse</i></p>	<p>The power line corridor, access tracks and watercourse crossings will need to cross the several drainage lines in order to connect the Poseidon MTS. This will result in infringement within the watercourse and/or within 32m of the watercourse with a physical footprint greater than 100 square metres</p>
<p><u>Listing Notice 1, Item 19</u></p> <p><i>The infilling or depositing of any material of more than 10 cubic meters into, or the dredging, excavation, removal, or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic meters from a watercourse</i></p>	<p>The development of grid connection infrastructure will require the infilling or depositing of material and the extraction, removal or moving of soils of more than 10 cubic meters from watercourses during construction</p>
<p><u>Listing Notice 1, Item 27</u></p> <p><i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation.</i></p>	<p>Clearance of vegetation will be required within the grid connection corridor during power line construction and access tracks. The approximation of vegetation to be cleared is as follows: -</p> <ul style="list-style-type: none"> • Proposed Access Roads: 65,8 ha • Proposed On-site Substation: 5ha • Powerline Pylons/Towers: 0,1872 ha

<p><u>Listing Notice 1, Item 28(ii)</u></p> <p><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 1ha.</i></p>	<p>The proposed grid infrastructure that is intended to be developed will be greater than 1ha.</p>
<p><u>Listing Notice 3, Item 4</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Eastern Cape</i></p> <p><i>(i). 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>Access tracks along the powerline routing will be developed to a width of up to 7m wide to allow for construction and maintenance activities within CBA areas</p>
<p><u>Listing Notice 3, Item 12</u></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>a. Eastern Cape Province</i></p> <p><i>ii. within critical biodiversity areas identified in in bioregional plans</i></p>	<p>Clearance of vegetation will occur within the grid connection corridor and proposed on-site substation footprint during power line, access track and water crossing construction which is greater than 300 square metres.</p>
<p><u>Listing Notice 3, Item 14(xii)(a)(c)</u></p> <p><i>The development of –</i></p> <p><i>(xii) infrastructure or structures with a physical footprint of 10 square metres or more Where such development occurs</i></p> <p><i>(a) Within a watercourse</i></p> <p><i>(c) if no setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; Excluding the development of infrastructure or structures within existing ports or</i></p>	<p>The development of the new powerline corridor, on-site substation within a 300m development radius, access tracks and watercourse crossings will encroach onto watercourses and will be located within 32m of watercourses within freshwater CBA's and Terrestrial ESA 1</p>

harbours that will not increase the development footprint of the port or harbour.

a. Eastern Cape

i. Outside urban areas:

(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in biodiversity plan adopted by the competent authority or in bioregional plans;

as described in the Basic Assessment Report (BAR) dated July 2022 at:

SG 21 Code

C	0	1	0	0	0	0	0	0	0	0	0	0	2	2	1	0	0	0	0
C	0	1	0	0	0	0	0	0	0	0	0	0	2	0	5	0	0	0	0
C	0	1	0	0	0	0	0	0	0	0	0	0	2	0	6	0	0	0	1
C	0	1	0	0	0	0	0	0	0	0	0	0	2	0	3	0	0	0	3
C	0	1	0	0	0	0	0	0	0	0	0	0	2	4	2	0	0	0	0
C	0	1	0	0	0	0	0	0	0	0	0	0	1	4	8	0	0	0	0
C	0	1	0	0	0	0	0	0	0	0	0	0	1	4	8	0	0	0	3
C	0	1	0	0	0	0	0	0	0	0	0	0	2	6	0	0	0	0	0
C	0	1	0	0	0	0	0	0	0	0	0	0	0	7	3	0	0	0	5

Powerline and access track corridor (Centre line Co-ordinates)

	Latitude	Longitude
Start (Proposed on-site substation)	<u>32°53'16.10"S</u>	<u>26° 4'45.89"E</u>
Point 2	<u>32°52'5.23"S</u>	<u>26° 4'35.86"E</u>
Point 3	<u>32°51'58.38"S</u>	<u>26° 4'30.00"E</u>
Point 4	<u>32°51'24.96"S</u>	<u>26° 2'57.29"E</u>
Point 5	<u>32°51'19.82"S</u>	<u>26° 2'52.60"E</u>
Point 6	<u>32°50'22.15"S</u>	<u>26° 1'16.41"E</u>
Point 7	<u>32°49'59.89"S</u>	<u>26° 0'51.66"E</u>
Point 8	<u>32°49'58.71"S</u>	<u>26° 0'42.46"E</u>
Point 9	<u>32°48'25.43"S</u>	<u>25°59'2.79"E</u>

Point 10	<u>32°48'10.54"S</u>	<u>25°58'28.64"E</u>
Point 11	<u>32°47'31.39"S</u>	<u>25°58'16.22"E</u>
Point 12	<u>32°45'3.66"S</u>	<u>25°56'12.66"E</u>
Point 13	<u>32°44'57.93"S</u>	<u>25°56'2.68"E</u>
Point 14	<u>32°44'47.51"S</u>	<u>25°55'27.60"E</u>
End (Proposed on-site substation)	<u>32°44'41.44"S</u>	<u>25°55'30.18"E</u>

Water Crossing Co-ordinates

	Latitude	Longitude
Water Crossing 1	32° 53.368'S	26° 5.004'E
Water Crossing 2	32°52'48.75"S	26° 4'42.37"E
Water Crossing 3	32°52'24.84"S	26° 4'38.64"E
Water Crossing 4	32°51'47.73"S	26° 4'0.27"E
Water Crossing 5	32°50'56.34"S	26° 2'14.18"E
Water Crossing 6	32°50'41.88"S	26° 1'49.39"E
Water Crossing 7	32°49'40.33"S	26° 0'22.86"E
Water Crossing 8	32°49'8.86"S	25°59'50.32"E
Water Crossing 9	32°48'49.13"S	25°59'28.26"E
Water Crossing 10	32°45'45.38"S	25°56'47.60"E
Water Crossing 11	32°44'52.00"S	25°55'42.98"E
Water Crossing 12	32°44'48.83"S	25°55'32.48"E

33kV/132kV on-site substation footprint (300m development radius)

	Latitude	Longitude
Corner 1	32°53'30.53"S	26° 4'43.54"E
Corner 2	32°53'13.32"S	26° 4'28.45"E
Corner 3	32°53'1.04"S	26° 4'48.27"E
Corner 4	32°53'16.52"S	26° 5'3.02"E

- for the proposed development of the 66kV Overhead Power line and associated infrastructure for the Msenge Emoyeni Wind Energy Facility, Blue Crane Route Local Municipality, Eastern Cape Province, hereafter referred to as "the property"

The proposed development will comprise the following:

- 66kV overhead single circuit powerline approximately 22,7km long in a 300m wide assessment corridor (150m on either side), from the authorised Msenge Emoyeni WEF onsite substation to the Poseidon MTS.
- Access tracks of up to 7m in width following the powerline route from the proposed Msenge Emoyeni WEF onsite substation to the Poseidon MTS within a 300m corridor (150m on either side) to enable construction and maintenance activities.
- Water course crossings along the powerline route from the proposed Msenge Emoyeni WEF onsite substation to the Poseidon MTS.
- 33kV/132kV on-site substation with a footprint occupying an area of 250m x 200m, within a 300m radius.

Technical details of the proposed development:

Component	Description / dimensions
Single circuit powerline	The single-circuit powerline will be known as the Msenge Emoyeni 66kV single-circuit powerline
Powerline capacity	66kV
Development powerline corridor width	A 300m wide grid connection corridor (150m on either side of the centre line) is being assessed within which the grid connection infrastructure will be constructed and operated.
Powerline length	22.7km
Powerline servitude	31m (15.5 to each side)
Tower height	Maximum height is 24m for standard monopole structures. With exceptional crossings structures higher than this may be required up to 36m in height. Anticipated span lengths will be between 150m and 280m
On-site Substation capacity	33/132kV
On-site Substation footprint	250m x 200m
Access Roads	Access maintenance purposes will be limited to jeep tracks up to 7m wide
Watercourse crossings	Approximately 12 watercourse crossings have been identified along the powerline route that will be constructed to accommodate for access tracks

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed development of the 66kV overhead power line and associated infrastructure for the authorised Msenge Emoyeni Wind Energy Facility, Eastern Cape Province is hereby 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. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued,
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014,
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

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

Management of the activity

12. The layout maps attached as Appendix B submitted as part of the BAR dated July 2022 are hereby approved and must be implemented and adhered to.
13. The generic Environmental Management Programmes (EMPrs) (Appendix J and K) submitted as part of the BAR dated July 2022 is hereby approved and must be implemented and adhered to.
14. The Environmental Management Programme (EMPr) (Appendix L) submitted as part of the BAR dated July 2022 is hereby approved and must be implemented and adhered to.
15. The final 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.
16. Changes to the approved EMPr (Appendix L) must be submitted in accordance to the EIA Regulations applicable at the time.

17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 28 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. No activities will be allowed to encroach into a watercourse without a water use authorisation being in place from the Department of Human Settlement, Water and Sanitation.
34. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
35. The location of high sensitive vegetation and species rich rocky outcrops (sensitivity map: grid section WC 1 to WC 4) area in close proximity to the substation area must be demarcated prior construction and considered as no-go areas.
36. Suitable bird repelling structures and bird diverters must be installed to avoid collision of birds with the infrastructure.
37. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of protected or endangered plant or animal species.
38. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
39. Should archaeological sites or graves be exposed in other areas during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.
40. 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

41. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 41.1. at the site of the authorised activity,
 - 41.2. to anyone on request; and
 - 41.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
42. 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: 13/09/2022.



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 amended application form submitted with the final BAR dated July 2022 and email received by CA on 30 August 2022.
- b) The information contained in the final BAR dated July 2022.
- c) The comments received from interested and affected parties as included in the final BAR dated July 2022.
- d) Mitigation measures as proposed in the final BAR and the generic EMPs for the powerline and on-site substation.
- e) The information contained in the specialist studies contained within the appendices of the final BAR dated July 2022.

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 for the proposed project stems from the provision of electricity to the national grid.
- c) The final BAR dated July 2022 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed development, which avoid identified sensitive areas.
- e) The methodology used in assessing the potential impacts identified in the final BAR dated July 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 final BAR dated July 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
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Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: ybandeman@dfie.gov.za

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 Maseza 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: RSCM (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