



## 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:** 14/16/12/3/3/1/2649

**Enquiries:** Ms Thulisile Nyalunga

**Telephone:** (012) 399 9405 **E-mail:** [tnyalunga@dffe.gov.za](mailto:tnyalunga@dffe.gov.za)

Mr Warren Morse  
Carolus Solar PV1 (Pty) Ltd  
P. O. Box 548  
**HOWARD PLACE**  
7450

Telephone Number: 021 6853240  
E-mail: [warren@mulilo.com](mailto:warren@mulilo.com)

### PER EMAIL / MAIL

Dear Mr Morse

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE CONSTRUCTION AND OPERATION OF THE 4.3KM GRID CONNECTION INFRASTRUCTURE CONSISTING OF AN UP TO 132KV DOUBLE CIRCUIT POWERLINE ON PORTION 3 OF THE FARM CAROLUS POORT NO. 3, LOCATED APPROXIMATELY 10KM EAST OF DE AAR, WITHIN THE EMTHANJENI LOCAL MUNICIPALITY OF THE PIXLEY KA SEME DISTRICT MUNICIPALITY IN THE NORTHERN 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, 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.

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](mailto:appeals@dffe.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@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully

  
**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries, and the Environment**  
Date: 10/05/2023

cc:	Ms Nkhensani Masondo	Savannah Environmental (Pty) Ltd	Email: <a href="mailto:nkhensani@savannahsa.com">nkhensani@savannahsa.com</a>
	Mr Bryn Fisher	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform	Email: <a href="mailto:Bfisher@ncpg.gov.za">Bfisher@ncpg.gov.za</a>
	Mr Isak Visser	Emthanjeni Local Municipality	Email: <a href="mailto:Visser@emthanjeni.co.za">Visser@emthanjeni.co.za</a>

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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

The construction and operation of a 4.3km grid connection infrastructure consisting of an up to 132kV double circuit powerline on Portion 3 of the Farm Carolus Poort No. 3, located approximately 10km east of De Aar, within the Emthanjeni Local Municipality in the Northern Cape Province,

### Pixley Ka Seme District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2649
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Carolus Solar PV1 (Pty) Ltd
<b>Location of activity:</b>	Portion 1 of Farm Riet Fountain 6 Portion 0 of Farm Wagt en Bittje 5 portion 3 of Farm Carolus Poort 3 Remaining Extent Portion 0 of Farm Wag n Bietjie Portion 0 of Farm Vetlaagte 4 Emthanjeni Local Municipality Pixley Ka Seme District Municipality Northern 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.

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## 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 –

### **CAROLUS SOLAR PV1 (PTY) LTD**

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

with the following contact details –

Mr Warren Morse

Carolus Solar PV1 (Pty) Ltd

P. O. Box 548

**HOWARD PLACE**

7450

Telephone Number: 021 6853240

E-mail: warren@mulilo.com

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:

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>The Carolus EGI will comprise the construction and operation of a 132kV switching station and 132kV double circuit overhead power line. The site is located outside of an urban area.</p>
<p><u>Listing Notice 1, Item 12</u></p> <p><i>"The development of:</i></p> <p><i>ii) infrastructure or structures with a physical footprint of 100 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 exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>The development of the Carolus EGI will require the establishment of infrastructure with a physical footprint exceeding 100m<sup>2</sup> within a watercourse (access roads) and within 32m of a watercourse.</p>
<p><u>Listing Notice 1, Item 14</u></p> <p><i>"The development and related operation of facilities and infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres."</i></p>	<p>The development of the Carolus EGI will require the construction and operation of facilities and infrastructure for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the 132kV switching station where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters</p>
<p><u>Listing Notice 1, Item 19</u></p> <p><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, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse."</i></p>	<p>Perennial and Non-Perennial Ecosystem features are present within the grid corridor footprint. During the construction phase, more than 10 cubic metres of rock will be removed from the water features for the development of the Carolus EGI access roads.</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>The project will require the clearance of an area of more than 1ha of vegetation to accommodate the switching station and grid connection infrastructure</p>
<p><u>Listing Notice 1, Item 28</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:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>The Carolus EGI (considered to be an industrial development) will be constructed and operated on land currently zoned as agricultural. The total extent of the development area of the grid connection infrastructure will exceed 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.</i></p> <p><i>g. 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>During construction, a permanent access road along the length of the power line corridor between 6 - 8m wide will be established to allow for movement of construction vehicles. This track will then be utilised for maintenance during operation. The Carolus EGI falls within the Northern Cape Province and outside an urban area. The grid corridor overlaps with an ESA.</p>
<p><u>Listing Notice 3, Item 10</u></p> <p><i>"The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres</i></p> <p><i>g. Northern Cape ii. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</i></p> <p><i>iii. Outside urban areas:</i></p>	<p>The development of the Carolus EGI will require the construction and operation of facilities for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the switching station, where such storage will be undertaken inside containers with a capacity not exceeding 80 cubic metres. A water course (i.e., Perennial and no-perennial rivers) infringes into the development footprint and grid corridor. The Carolus EGI falls within the Northern Cape</p>

<i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i>	Province and outside urban areas. The corridor overlaps with an ESA.
<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</i></p> <p><i>g. Northern cape</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The development of the Carolus EGI will require the clearance of an area of ~300 square metres of indigenous vegetation to accommodate the switching station, as well as vegetation associated with the power line servitude within an ESA in the Northern Cape Province.</p>
<p><u>Listing Notice 3, Item 14</u></p> <p><i>"The development of—</i></p> <p><i>(ii) 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; or</i></p> <p><i>(c) within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape ii. Outside urban areas:</i></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 development of the Carolus EGI will require the establishment of infrastructure with a physical footprint exceeding 10m<sup>2</sup> within a watercourse (access roads) and within 32m of a watercourse. The switching station will occupy a footprint of greater than 300 square metres. A water course (i.e., drainage features) infringes into the substation development footprint. The overhead power line traverses watercourses (i.e., an episodic rivers and drainage features), with pylon placement occurring within 32m of these watercourses. The EGI falls within the Northern Cape Province and outside an urban area. The corridor overlaps with an ESA.</p>

as described in the Basic Assessment Report (BAR) dated January 2023 at:

Farm Name, Portions and 21 Digit SG Code:

Farm name/s, Portions and number/s	SG 21 Code
Farm Riet Fountain 6 portion 1,	C03000000000000600001
Farm Wagt en Bittje 5, Portion 0,	C03000000000000500000
Farm Carolus Poort 3 Portion 3,	C03000000000000300003

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Farm Wag n Bietjie 137, Remaining extent Portion 0,	C03000000000013700000
Farm Vetlaagte 4 Portion 0,	C03000000000000400000

Coordinates for the substation, grid corridor and access roads

IPP substation on Portion 3 of the Farm Carolus Poort No. 3	
Latitude	Longitude
30°41'06.86"S	24°09'13.38"E
30°41'05.99"S	24°09'17.01"E
30°41'09.14"S	24°09'17.98"E
30°41'09.97"S	24°09'14.34"E
Centre Coordinates for the IPP Substation	
30°41'07.99"S	24°09'15.63"E
4.3km Preferred Grid Corridor to the Wag n Bietjie MTS Coordinates	
Start point 30°41'09.54"S	24°09'11.58"E
Middle point 30°40'49.92"S	24°08'03.97"E
End point 30°40'33.58"S	24°07'15.27"E
Infrastructure	
30°41'17.50"S	24°05'39.56"E
Access road Coordinates	
Start point 30°40'56.61"S	24°10'16.76"E
Middle point 30°40'56.39"S	24°10'10.22"E
End point 30°40'55.67"S	24°10'13.75"E

- for the construction and operation of the 4.3km preferred grid connection infrastructure consisting of an up to 132kV double circuit powerline on Portion 3 of the Farm Carolus Poort No. 3, located approximately 10km east of De Aar, within the Emthanjeni Local Municipality of the Pixley Ka Seme District Municipality in the Northern Cape Province, hereafter referred to as "the property".

The grid connection infrastructure will consist of the following:

- Onsite 132kV Eskom switching station - 100m x 100m and 30m height, metering, relay & control buildings, laydown area, ablutions with conservancy tanks and water storage tanks, and access roads which is handed back to Eskom.
- 132kV Overhead Power Line (OHPL) – within 300m wide corridor and a 31m wide servitude.



- Access roads to substation sites (up to 8 m wide) and service tracks (up to 6 m wide) where no existing roads are available.

Technical details of the proposed development

Components	Description/dimensions
Capacity of the central collector substation	120MVA at 132kV
Corridor width (for assessment purposes)	The grid connection corridor is up to 300m wide and 4.3km in length to allow for avoidance of environmental sensitivities, and suitable placement of the 132kV (double circuit) overhead power line within the corridor.
Capacity and circuit of the power line	132kV (double circuit)
Power line servitude width	Up to 31m
Length of the grid connection corridor	4.3km
Height of the power line towers (pylons)	Up to 30m
Access road	An 8m wide access road and entrance gate to the project site and switching station is planned as part of the development. The developer has additionally made provision for 6m wide internal distribution roads.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction and operation of a 4.3km preferred grid connection infrastructure consisting of an up to 132kV double circuit powerline on Portion 3 of the Farm Carolus Poort No. 3, located approximately 10km east of De Aar, within the Emthanjeni Local Municipality of the Pixley Ka Seme District Municipality in the Northern Cape Province is approved per the geographic coordinates and property details 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 transfer or change of ownership rights of this environmental authorisation.
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. A final site layout plan for the 4.3km preferred grid connection infrastructure and associated infrastructure within the 300m assessed corridor, as determined by the detailed engineering phase and micro-siting, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval, prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible. The layout map must indicate the following:
  - 12.1. The final position of the grid connection infrastructure;

- 12.2. All associated infrastructure;
  - 12.3. The finalised access routes;
  - 12.4. The on-site and/or switching substation, indicating the Independent Power Producer's section;
  - 12.5. All sensitive features; and
  - 12.6. All "no-go" and buffer areas.
13. Taking the above into consideration, the generic Environmental Management Programmes (EMPrs) for the substation (the relevant section that will be maintained by the Independent Power Producer) and the powerline submitted as part of the BAR dated January 2023, are approved. The final site layout plan of the on-site and/or switching substation, depicting the Independent Power Producer's section and the final layout plan for the powerline as per condition 12 above, must be appended to Part C of the generic EMPr for the substation and powerline once approved.
  14. The EMPrs (substation and powerline) must be implemented and strictly enforced during all phases of the project. They shall be seen as dynamic documents and shall be included in all contract documentation for all phases of the development.
  15. Changes to the approved EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
  16. The Department reserves the right to amend the approved EMPrs, should any impacts that were not anticipated or covered in the BAR be discovered.

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

17. The generic EMPrs must be updated where the findings of the environmental audit reports, contemplated in Condition 24 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.
18. The updated generic EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated generic 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 generic 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 generic EMPr to the Department for approval.
20. In assessing whether to grant approval of a generic 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 generic EMPr, the Department may request such amendments to the generic EMPr as it deems appropriate to ensure that the generic EMPr sufficiently provides for

avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

21. The holder of the authorisation must apply for an amendment of a generic 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 generic 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**

22. 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 EMPrs.
  - 22.1.1. The ECO must be appointed before commencement of any authorised activities.
  - 22.1.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 22.1.3. The ECO must keep record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
  - 22.1.4. 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**

23. 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.
24. The holder of the environmental authorisation must, for the period during which the environmental authorisation and generic EMPrs remain valid, ensure that project compliance with the conditions of the environmental authorisation and the generic EMPrs are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the generic EMPrs, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.

26. The holder of the authorisation must, in addition, submit an environmental audit report 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.
27. 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 generic EMPs.
28. 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**

29. 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.
30. The holder of an Environmental Authorisation must notify the Competent Authority of any alienation, transfer, or change of ownership rights of the property on which the activity is to take place.

#### **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. A pre-construction walk-through of the development footprint and power line corridor must be undertaken before construction commences and the layout and corridor should be adjusted, where required, to reduce impacts on species of conservation concern, habitats of concern, watercourses and heritage resources.
34. The applicant must implement a chance finds procedure for the rescuing of any fossils or heritage resources discovered during construction.
35. A competent Environmental Control Officer (ECO) must oversee the respective phases of the project, with watercourse areas as a priority to limit the listed impacts on the watercourses. The ECO must be supplied with a copy of this report and the other specialist study reports conducted for this project to familiarise themselves with the mitigation and recommendations prior to construction.
36. A qualified Hydrologist with experience in arid areas must develop a suitable and adaptive Stormwater management plan to ensure no erosion takes place and that clean water reports back to the Brak system.
37. An adaptive rehabilitation plan must be implemented from the onset of the project. The key focus must be placed on stormwater and erosion prevention strategies.
38. Stormwater runoff must enter the drainage system through diffuse channels fitted with flow attenuation / energy dissipation structures.
39. An infrastructure monitoring and service plan must be compiled and implemented during the operational phase. This will include the monitoring of the road reserve route, all stormwater discharge points, energy dissipation structures, and stability of watercourse habitat in the project footprint. This service plan must be adaptive based on on-site conditions.
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 generic EMPs, must be made available for inspection and copying-
42. at the site of the authorised activity;
  - 42.1. to anyone on request; and
  - 42.2. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.

43. 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: 10/05/2023



Mr Sabelo Malaza

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 in October 2022.
- b) The information contained in the BAR dated January 2023.
- c) The comments received from the South African Heritage Resources Agencies, and other I&AP's and interested and affected parties as included in the BAR dated January 2023.
- d) Mitigation measures as proposed in the BAR and the EMP.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2023 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in FBAR	Date issued
Andrew Husted of the Biodiversity Company	Terrestrial Ecology (including fauna and flora)	June 2022
Andrew Husted and Ivan Baker of the Biodiversity Company	Freshwater, Soil, and Agricultural Potential	September 2022
Chris van Rooyen of Chris van Rooyen Consulting	Avifauna	December 2022
Jenna Lavin of CTS Heritage	Heritage (including Archaeology Palaeontology and Cultural Heritage)	July 2022
Tony Barbour of Tony Barbour Environmental Consulting	Social	September 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 project stems from the response to the growing electricity demand, fuelled by increasing economic growth and social development, and placing increasing pressure on South Africa's existing power generation capacity.
- c) The BAR dated January 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the project.
- e) The methodology used in assessing the potential impacts identified in the BAR dated January 2023 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 BAR dated January 2023 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 BAR dated January 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- 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, 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 1: Locality Plan

