



## 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:** 14/12/16/3/3/1/2595

**Enquiries:** Mr Wayne Hector

**Telephone:** (012) 399 9410 **E-mail:** [whector@dfpe.gov.za](mailto:whector@dfpe.gov.za)

Mr Constantin Hatzilambros  
Mulilo De Aar 2 South (Pty) Ltd  
PostNet Suite No.53  
Private Bag X21  
**HOWARD PLACE**  
7450

**Telephone nr:** (021) 685 3240

**E-mail:** [constantin@mulilo.com](mailto:constantin@mulilo.com)

**PER EMAIL / MAIL**

Dear Mr Hatzilambros

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED CONSTRUCTION OF THE 132KV POWER LINE, A SWITCHING STATION AND ROADS IN SUPPORT OF THE AUTHORISED DE AAR 2 SOUTH WEF, DE AAR, 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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

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

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

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

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

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

By hand: Environment House  
473 Steve Biko Road  
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.dfpe.gov.za/documents/forms#legal> authorisations or request a copy of the documents at [appeals@dfpe.gov.za](mailto:appeals@dfpe.gov.za).

Yours faithfully



**Mr Vusi Skosana**

**Acting Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries & the Environment**

Date: 19 January 2023

cc	Ms Ashlin Bodasing	Arcus Consultancy Services South Africa (Pty) Ltd	Email: <a href="mailto:ashlinb@arcusconsulting.co.za">ashlinb@arcusconsulting.co.za</a>
		Arcus Consultancy Services South Africa (Pty) Ltd	Email: <a href="mailto:deaar@arcusconsulting.co.za">deaar@arcusconsulting.co.za</a>
	Mr Brian Fisher	DENC	Email: <a href="mailto:bfisher@ncpp.gov.za">bfisher@ncpp.gov.za</a>
	Mr Francois Taljaard	Emthanjeni Local Municipality	Email: <a href="mailto:tallies@emthanjeni.co.za">tallies@emthanjeni.co.za</a>



## 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

CONSTRUCTION OF 132KV POWER LINE, A SWITCHING STATION AND ROADS IN SUPPORT OF THE  
AUTHORISED DE AAR 2 SOUTH WEF, DE AAR, NORTHERN CAPE PROVINCE.

PIXLEY KA SEME DISTRICT MUNICIPALITY

<b>Authorisation register number:</b>	14/12/16/3/3/1/2595
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Mulilo De Aar 2 South (Pty) Ltd
<b>Location of activity:</b>	Within Ward 8 of the Emthanjeni Local 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.

## Decision

The Department is satisfied, based on 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 –

### **MULILO DE AAR 2 SOUTH (PTY) LTD**

with the following contact details –

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**HOWARD PLACE**

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

Activity number	Activity description
<p><u>Listing Notice 1, 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 kilovolts; "</i></p>	<p>The development entails the construction of 132kV transmission line, and 132kV switching station and MTS connection works.</p>
<p><u>Listing Notice 1, Item 12:</u>  <i>"The development of</i>  <i>(ii) Infrastructure or structures with a physical footprint of 100 m<sup>2</sup> or more;</i>  <i>Where such development occurs –</i>  <i>(a) within a watercourse; or</i>  <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;."</i></p>	<p>Infrastructure, such as roads, is proposed within 32m of a watercourse. The cumulative footprint of all proposed development within 32m of a watercourse will exceed 100 square metres. Roads proposed for the development include:                      (1) an approximate 20 – 25km long and 6m wide service road,                      (2) upgrades to access roads (existing farm roads),                      (3) an approximate 12km long and 8m wide access road to the switching station.</p>
<p><u>Listing Notice 1, 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, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse".</i></p>	<p>The construction of the transmission line and roads will traverse watercourses. The construction will require the infilling or depositing of more than 10 cubic meters 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.</p>
<p><u>Listing Notice 1, Item 24</u>  <i>The development of a road—</i>  <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>The construction of the transmission line will require roads wider than 10 meters during construction phase and will be rehabilitated to up to approximately 8m wide post construction.</p>
<p><u>Listing Notice 1, item 27</u></p>	<p>The development of the switching station, roads and the infrastructure associated with the transmission line, that is non-linear (including</p>

<p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for</i></p> <p><i>(i) the undertaking of a linear activity</i></p> <p><i>(ii) maintenance purposes undertaken in accordance with a Maintenance management plan</i></p>	<p>power line tower structures), will require clearing of more than 1 hectare of indigenous vegetation but less than 20 hectares.</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><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The proposed development will change the land use from agriculture to mixed - agriculture and electricity transmission. The development is outside an urban area and has a footprint that will exceed 1 ha</p>
<p><u>Listing Notice 1, item 48</u></p> <p><i>The expansion of</i></p> <p><i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</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>Existing infrastructure such as roads and bridges within 32m of a watercourse will require expansion. The cumulative footprint of all proposed development expansion within 32m of a watercourse will exceed 100 square metres.</p>
<p><u>Listing Notice 1, item 56</u></p> <p><i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—</i></p> <p><i>(ii) where no reserve exists, where the existing road is wider than 8 metres;</i></p> <p><i>excluding where widening or lengthening occur inside urban areas.</i></p>	<p>Existing farm access roads will need to be widened or lengthened. Parts of these roads have no road reserve and will be wider than 10m in certain sections during construction.</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>Internal and external access roads will be constructed, which are wider than 4m. The site falls outside of an urban area.</p>

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<p>(g) Northern Cape                  (ii) Outside urban areas:</p>	
<p><u>Listing Notice 3, item 10</u>  <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>                  (g) Northern Cape                  (ii) Outside urban areas:</p>	<p>The proposed switching station will require the use of transformer oils / diesel fuel / other hazardous substances during the operational phase. Oils / fuels / other hazardous substances will be kept on site and housed within a bunded facility. These substances will be used for the switching station / transformers during operation, as well as diesel for generators or vehicles during construction and operation. The facility earmarked for the storage of such substances will be demarcated on the approximately 1 Hectare (ha) area marked for control buildings and the capacity will be approximately 30 – 80m<sup>3</sup>.</p>
<p><u>Listing Notice 3, item 12</u>  <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>                  (g) Northern Cape</p>	<p>The proposed development will require the clearance of natural vegetation more than 300m<sup>2</sup> in areas of natural vegetation.</p>
<p><u>Listing Notice 3, item 14</u>  <i>The development of—</i>                  (ii) <i>infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i>                  a) <i>within a watercourse;</i>                  c) <i>if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p>	<p>Infrastructure associated with the transmission lines and roads will be constructed within 32m of a watercourse. The proposed site lies outside of an urban area.</p>

<p><i>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p>	
<p><u>Listing Notice 3, item 18</u></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p> <p><i>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</i></p>	<p>Existing roads will be widened or lengthened within ESAs and CBAs, during construction of the access and servitude roads. Roads proposed for the development include: (1) an approximate 20 – 25km long and 6 m wide service road, (2) upgrades to access roads (existing farm roads), (3) an approximate 12km long and 8m wide access road to the switching station.</p>
<p><u>Listing Notice 3, item 23</u></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; where such expansion 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) Northern Cape</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p>	<p>The construction of the transmission lines will include the expansion of existing infrastructure such as roads that are located within 32m of a watercourse. Roads proposed for the development include:</p> <p>(1) an approximate 20 – 25km long and 6m wide service road,</p> <p>(2) upgrades to access roads (existing farm roads),</p> <p>(3) an approximate 12km long and 8m wide access road to the switching station.</p>

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

**SG 21 Code:**

C	0	3	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0
C	0	3	0	0	0	0	0	0	0	0	0	0	1	3	7	0	0	0	0	0

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C	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	3
C	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	4

### Coordinates

Transmission Line - Preferred Alternative	Longitude	Latitude
Wag 'n Bietjie Route Start Point	24°16'50.25"E	30°35'28.20"S
Wag 'n Bietjie Route Bend Point	24°16'16.14"E	30°35'46.11"S
Wag 'n Bietjie Route Middle	24°12'4.00"E	30°38'29.30"S
Wag 'n Bietjie Route Bend Point	24° 8'4.98"E	30°40'52.81"S
Wag 'n Bietjie Route Bend Point	24° 7'22.02"E	30°40'32.02"S
Wag 'n Bietjie Route Bend Point	24° 7'18.11"E	30°40'36.48"S
Wag 'n Bietjie Route End Point	24° 7'22.96"E	30°40'40.09"S

Switching Station Coordinates	Longitude	Latitude
Switching Station North West Corner	24°16'52.04"E	30°35'22.26"S
Switching Station North East Corner	24°16'56.07"E	30°35'24.79"S
Switching Station South East Corner	24°16'51.55"E	30°35'30.55"S
Switching Station South West Corner	24°16'47.65"E	30°35'28.06"S

Road Coordinates	Longitude	Latitude
Start Point	24°22'28.86"E	30°39'14.25"S
End Point	24°16'51.18"E	30°35'30.19"S

- for the proposed construction of the 132kV power line, a Switching Station and roads in support of the Authorised De Aar 2 South WEF, De Aar, within Ward 8 of the Emthanjeni Local Municipality, Northern Cape Province, hereafter referred to as "the property".

The proposed development entails the construction of a 132kV power line which is approximately 20km in length. The power line will connect the authorised DA2S WEF to the proposed Wag n Bietjie MTS near De Aar, in the Northern Cape Province. The proposed development also entails the construction of a 132kV switching station which will be located on the plateau within the authorised DA2S WEF site, and alongside the authorised on-site IPP substation. The switching station will have a maximum footprint of 1 ha (100 m x 100m) and will be placed within an assessed area (referred to as the "Switching Station Assessment Area") of approximately 2.8ha (i.e., approximately 200m x 140m).

The proposed construction of internal and access roads entails the following:

- Approximately 20 - 25km long and 6m wide service road,
- Upgrades to access roads (existing farm roads), and
- An approximate 12km long and 8m wide access road, with up to 2m v-drains running on each side, to the switching station.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred alternatives for the proposed construction of the 132kV power line, a Switching Station and roads in support of the Authorised De Aar 2 South WEF, De Aar, within Ward 8 of the Emthanjeni Local Municipality, Northern Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must 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 for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

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

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

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

12. The authorised activity must 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**

13. The layout map attached as Appendix 7 of the final BAR dated October 2022 is hereby approved.
14. The Environmental Management Programme (EMPr) and the Generic Environmental Management Programme (GEMPr) submitted as part of the BAR dated October 2022 is approved and must be implemented and adhered to.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance with 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 basic assessment 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 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 because 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, considering 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. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
34. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
35. Mitigation measures as recommended by SAHRA in their letter dated 02 November 2022 must be implemented.
36. All declared aliens must be identified and managed in accordance with the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983).
37. Anti-collision devices such as bird flappers must be installed where power line cross avifaunal corridors.
38. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
39. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated October 2022 must be implemented to reduce the risk of erosion and the invasion of alien species.
40. 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.
41. 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**

42. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 42.1. at the site of the authorised activity;
  - 42.2. to anyone on request; and
  - 42.3. 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: 19 January 2023



**Mr Vusi Skosana**

**Acting Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries & the Environment**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 26 July 2022.
- b) The information contained in the BAR dated October 2022.
- c) The comments received from SAHRA, Department of Forestry, Fisheries & the Environment: Biodiversity Section, Department of Forestry, Fisheries and the Environment: IEA, Eskom and interested and affected parties as included in the BAR dated October 2022.
- d) Mitigation measures as proposed in the BAR and the Generic EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated October 2022 and as appears below:

Title	Prepared by	Date
Terrestrial Biodiversity and Plants Impact Assessment	Arcus Consultancy Services South Africa (Pty) Limited	July 2022
Terrestrial Animal Impact Assessment	Arcus Consultancy Services South Africa (Pty) Limited	July 2022
Aquatic Impact Assessment	EnviroSci (Pty) Ltd (Dr Brian Colloty	08 July 2022
Avifaunal Impact Assessment	Arcus Consultancy Services South Africa (Pty) Limited	July 2022
Heritage Impact Assessment	ACO Associates	May 2022, updated July 2022.
Agricultural and Soil Compliance Statement	Johann Lanz	05 July 2022
Palaeontological Impact Assessment (Desktop Study)	Natura Viva cc	January 2022



## **2. Key factors considered in making the decision**

All information presented to the Department was considered 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 ties in with the national government policies, plans, and programmes which have relevance to energy planning and production.
- c) The BAR dated October 2022 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed grid connection which considers environmentally sensitive areas.
- e) The methodology used in assessing the potential impacts identified in the BAR dated October 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 BAR dated October 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 granted.



**forestry, fisheries  
& the environment**

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Forestry, Fisheries and the Environment  
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Mr. Vusi Skosana  
Director: IEA: National Integrated Authorisations

Dear Mr. Skosana

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS  
FOR THE PERIOD 19 DECEMBER 2022 – 31 JANUARY 2023**

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorisations, for the period of 19 December 2022 - 31 January 2023 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations must be signed under Acting Chief Director: Integrated Environmental Authorisations 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: RCSM (Regulatory Compliance and  
Sector Monitoring)**

Date: 1 December 2022

**ACKNOWLEDGEMENT**

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

Signed:

Date: 05 December 2022