



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: 14/16/12/3/3/1/2673

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 **E-mail:** tnyalunga@dfpe.gov.za

Mr Emil Unger
Upgrade Energy (Pty) Ltd
P. O. Box 1171
UMHLANGA ROCKS
4320

Cell phone Number: 082 465 9825
E-mail: emil@megatrade.co.za

PER EMAIL / MAIL

Dear Mr Unger

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR THE DEVELOPMENT OF THE BEAUFORT WEST SOLAR PHOTOVOLTAIC (PV) ENERGY FACILITY (SEF) AND ASSOCIATED INFRASTRUCTURE NEAR BEAUFORT WEST IN THE WESTERN 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

*This is hereby certified as a true
copy of the original document.*

Trevor Andrew Nair
Associate General Accountant (SA)
Associate Number 30659537
61 Badrudeen Road, Northdale
Pietermaritzburg, 3201

sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

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

By email: appeals@dffe.gov.za;


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

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@dffe.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries, and the Environment
Date: 27/04/2023

cc:	Ms Michelle Nevette	SiVest SA (Pty) Ltd	Email: michellen@sivest.co.za
	Mr Zaahir Toefy	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)	Email: Zaahir.Toefy@westerncape.gov.za
	Mr Kosie Haarhoff	Beaufort West Local Municipality	Email: Earl.cyster@drakenstein.gov.za



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 development of the Beaufort West solar photovoltaic (PV) energy facility (SEF) and associated infrastructure near Beaufort West in the Western Cape Province
Central Karoo District Municipality

Authorisation register number:	14/12/16/3/3/1/2673
Last amended:	First issue
Holder of authorisation:	Upgrade Energy (Pty) Ltd
Location of activity:	Portion 0 of the Farm Oude Volks Kraal No.164 Portion 0 of the Farm Quaggas Fontein No. 166 Beaufort West Local Municipality Central Karoo District Municipality Western 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.

MS

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

UPGRADE ENERGY (PTY) LTD

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

with the following contact details –

Mr Emil Unger
Upgrade Energy (Pty) Ltd
P. O. Box 1171
UMHLANGA ROCKS
4320

Cell phone Number: 082 465 9825

E-mail: emil@megatrade.co.za

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

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>New on-site substations/ collector switching stations will be constructed as part of the proposed development. The proposed substation / collector switching stations will be located outside urban areas and will have capacities of 33/132kV respectively. The electrical reticulation will comprise of Low Voltage ("LV") and Medium Voltage ("MV") underground installed cables of up to 33kV. Where required as per the technical assessments these may be aboveground.</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; 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>Drainage lines and watercourses are scattered across the proposed site. One or more roads, underground cables and/or powerlines will cross these watercourses or drainage lines or be within 32m thereof. The proposed developments will therefore entail the construction of infrastructure with physical footprints of approximately 100m² or more within a surface water feature / watercourse or within 32m of a surface water feature / watercourse.</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>The proposed development involves the construction of a SEF as well as other associated infrastructure within the proposed project site. Although the development envelop of the development area has been designed to avoid the identified surface water features /</p>

	watercourses as far as possible, some of the internal infrastructure to be constructed will need to traverse surface water features / watercourses. In addition, during construction, soil will need to be removed from surface water features / watercourses for construction purposes where unavoidable.
<p><u>Listing Notice 1, Item 24</u></p> <p><i>"The development of a road -</i></p> <p><i>ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>Internal roads will be required to access the PV panels and substations. Existing roads will be used wherever possible, although new roads will be constructed where necessary. Access and internal roads with a width of 5-6 m and up to 8 m at bends, and a road reserve width of 20 m to accommodate cable trenches, stormwater channels (as required), and turning circle/bypass areas. (Note: the layout and design of internal roads is yet to be finalized.) Internal roads of approximately 16 ha total footprint, consisting of existing gravel roads wherever</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 total area to be developed for the proposed renewable energy facilities is greater than 1ha and occurs outside an urban area in an area currently zoned as agriculture land.</p>
<p><u>Listing Notice 1, Item 31</u></p> <p><i>"The decommissioning of existing facilities, structures or infrastructure for -</i></p> <p><i>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014."</i></p>	<p>Should the proposed development's Power Purchase Agreement (PPA) not be renewed after 20 years (anticipated operational lifespan of proposed development), the proposed development would need to be</p>

	decommissioned. This would include the decommissioning of the on-site and/or collector substation as well.
<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; where such expansion occurs—</i></p> <p><i>(a) within a watercourse; or</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 proposed project will most likely entail the expansion (upgrading) of roads and other infrastructure by 100m² or more within a surface water feature / watercourse or within 32 m from the edge of a surface water feature / watercourse. Although the layout of the proposed development will be designed to avoid the identified surface water features / watercourses as far as possible, some of the infrastructure (e.g. internal and access roads, etc) to be upgraded will likely need to traverse the identified surface water features / watercourses and construction will likely occur within some of the surface water features / watercourses and/or be within 32m of some of the surface water features / watercourses.</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 - wider than 8 metres."</i></p>	<p>Internal access roads will be required to access the PV panels and the substation. Existing roads will be used wherever possible, although new roads will be constructed where necessary. The existing access roads might thus need to be upgraded by widening them more than 6m, or by lengthening them by more than 1km.</p>
<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. Western Cape</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation."</p>	<p>The development of the SEF facilities and associated infrastructure is likely to require the development of roads wider than 4m with a reserve of less than 13.5m within CBA and ESA.</p>

	These roads will occur within the Western Cape Province, outside urban areas.
<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. Western Cape</p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The proposed SEF development will involve the clearance of more than 300m² or more of indigenous vegetation within CBA and ESA. Clearance will also be required for the proposed on-site substation, BESS, internal roads and other associated infrastructure.</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;</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. Western Cape</p> <p><i>i. 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 proposed development will entail the construction of Solar Photovoltaic (PV) Energy Facility (SEF), an on-site and/or collector substation as well as associated overhead power line and roads with a physical footprint of more than 10m². Each proposed substation will occupy an area of up to approximately 2ha.</p> <p>The proposed development will avoid the surface water features / watercourses identified within the application site where possible, although the power line and/or internal and access roads will traverse some of the surface water features / watercourses identified and/or be located within 32m of some of the surface water features / watercourses identified.</p> <p>The proposed development will be located outside an urban area and within a Critical Biodiversity Area (CBA)/Ecological Support Area (ESA).</p>
<p><u>Listing Notice 3, Item 18</u></p> <p><i>"The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometre</i></p> <p>i. Western Cape</p>	<p>Internal access roads will be required to access the PV as well as the respective 33kv/132kv shared substations and BESS. Existing roads</p>

<p>ii. All areas outside urban areas: (aa) Areas containing indigenous vegetation."</p>	<p>will be used wherever possible. Internal access roads will thus likely be widened by more than 4m or lengthened by more than 1km. These roads will occur within the Western Cape Province, outside urban areas</p>
<p><u>Listing Notice 3, Item 23</u> "The expansion of – (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs – (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; i. Western 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 bioregional plans."</p>	<p>The proposed development will entail the development and expansion of roads by 10m² or more within a watercourses or within 32m from the edge of a watercourses. The proposed development will be located outside an urban area and within a Critical Biodiversity Area (CBA)/Ecological Support Area (ESA).</p>

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

Farm Name, Portions and 21 Digit SG Code:

Farm name/s, Portions and number/s	SG 21 Code
Portion 0 of the Farm Oude Volks Kraal No.164	C00900000000016400000
Portion 0 of the Farm Quaggas Fontein No. 166	C00900000000016600000

Coordinates for the PV area, substation, BESS and access roads

COORDINATES OF THE BOUNDARY OF THE AFFECTED PROPERTIES HAVE ALSO BEEN ATTACHED BELOW

BEAUFORT WEST SEF: APPLICATION SITE		
COORDINATES AT CORNER POINTS (DD MM SS.sss)		
POINT	SOUTH	EAST
1	32°24'52.35"S	22°34'20.82"E
2	32°24'54.42"S	22°35'38.61"E
3	32°24'45.23"S	22°36'55.70"E
4	32°25'19.77"S	22°37'17.62"E
5	32°25'27.72"S	22°39'56.95"E
6	32°26'12.12"S	22°41'36.72"E
7	32°28'56.55"S	22°41'40.50"E
8	32°28'26.97"S	22°40'25.60"E
9	32°27'27.37"S	22°39'30.51"E
10	32°26'53.57"S	22°39'26.98"E
11	32°27'21.37"S	22°38'4.68"E
12	32°27'1.83"S	22°36'27.21"E
13	32°27'3.19"S	22°34'16.81"E
14	32°25'13.53"S	22°34'0.30"E
COORDINATES AT CENTRE POINT (DD MM SS.sss)		
POINT	SOUTH	EAST
13	32°26'14.07"S	22°37'58.67"E

BEAUFORT WEST SEF: PV AREAS, SUBSTATION, BESS AND LAYDOWN AREA		
COORDINATES AT CENTRE POINTS (DD MM SS.sss)		
POINT	SOUTH	EAST
PV Area 1	32°26'17.72"S	22°41'7.05"E
Laydown Area 1	32°26'29.87"S	22°40'53.18"E
PV Area 2	32°27'1.29"S	22°37'50.05"E
Laydown Area 2	32°26'40.75"S	22°38'8.04"E
PV Area 3	32°27'24.45"S	22°40'7.54"E
Laydown Area 3	32°27'12.79"S	22°40'3.87"E
PV Area 4	32°26'52.38"S	22°38'27.98"E
Laydown Area 4	32°26'27.87"S	22°38'21.00"E
PV Area 5	32°26'50.45"S	22°41'13.62"E
Laydown Area 5	32°26'53.35"S	22°40'42.10"E
IPP Substation 1 (3 x 80MVA Transformers)	32°27'10.22"S	22°40'7.28"E
IPP Substation 2 (1 x 80MVA Transformer)	32°26'32.45"S	22°38'18.94"E
BESS 1 (760MWh)	32°27'4.14"S	22°40'8.02"E
BESS 2 (240MWh)	32°26'35.70"S	22°38'20.55"E

-for the development of the Beaufort West Solar Photovoltaic (PV) Energy Facility (SEF) and associated Infrastructure near Beaufort West in the Western Cape Province hereafter referred to as "the property".

The SEF development will include the following components

- The proposed solar PV plant will include PV fields (arrays) comprising multiple PV modules. The modules will be either crystalline silicon or thin film technology. The modules will be mounted on a fixed/single or double axis tracking technology.
- The PV panels will be mounted on single axis trackers.
- Each PV module will be approximately 2.4 m long and 1.3 m wide and mounted on supporting structures above ground. At this stage it is anticipated that the PV modules will be mono- or bifacial modules.
- Two new 33/132kV on-site substations (facility substation) (stepdown from 132kV to 32kV) occupying an area of up to approximately 1 ha each as follows:
 - IPP 132kV/33kV Substation 1 : 1x80MVA Transformers
 - IPP 132kV/33kV Substation 2 : 3x80MVA Transformers
- Internal 33kV lines connecting the substations to the facilities (either underground/above ground)

- Battery Energy Storage System (BESS) will be located next to each onsite 33/132kV substations and included in the IPP substation area. The BESS will be brought to the site already constructed.
 - – BESS 1 240MWh (1ha)
 - – BESS 2 760 MWh (4ha)
- Auxiliary building of approximately 0.2ha. The functions within these buildings include (but not limited to) to office/administration, control centre, ablution, workshops, storage areas and security centre.
- The O&M building, the construction camp and the laydown area (approx. 1 ha) as per attached layout.
- Site and internal access roads, up to 4m wide, will provide access to the PV arrays. Existing site roads will be used wherever possible, although new site roads will be constructed where necessary.
- Galvanized palisade perimeter fencing.
- Abstraction of water from existing or new boreholes if required. The anticipated volumes are 220kl per day

Technical details of the proposed development

Components	Description/dimensions
Project location	The development is located approximately 7 km North East of Beaufort West, within the Beaufort West Local Municipalities, in the Central Karoo District Municipality of the Western Cape Province
PV panels	<p>The solar PV plant will include PV fields (arrays) comprising multiple PV modules with the maximum capacity of up to approximately 415MWac. The modules will be either crystalline silicon or thin film technology. The modules will be mounted on a fixed/single or double axis tracking technology.</p> <ul style="list-style-type: none"> • Each PV module will be approximately 2.4 m long and 1.3 m wide and mounted on supporting structures above ground. At this stage it is anticipated that the PV modules will be mono- or bifacial modules. • The foundations will most likely be either predrilled and filled or rammed piles. The final foundation design will be determined at the

	detailed design phase of the proposed development. Structure height less than 10 m.
PV Panel Orientation	The PV panels will be mounted on single axis trackers. North-facing or single-tracking will be orientated N-S.
On-site IPP Electrical Infrastructure	<p>Two new 33/132kV on-site substations (facility substation) (stepdown from 132kV to 32kV) occupying an area of up to approximately 1 ha each as follows:</p> <ul style="list-style-type: none"> - IPP 132kV/33kV Substation 1 : 1x80MVA Transformers. - IPP 132kV/33kV Substation 2 : 3x80MVA Transformers. • Medium voltage cabling will link PV facility to grid connection infrastructure. • The medium voltage will be stepped up to high voltage. The step-up transformers will most likely be 132/33kV. The final voltage levels will be determined at the detailed design phase of the proposed development. • The medium voltage cabling (anticipated to be 0.8x0.6m wide at this stage) will link the various PV arrays to the internal on-site IPP substation. These cables will be laid underground, wherever technically feasible.
Area occupied by substation	Up to approximately 1 hectare.
Height of substation	Height of substation will be confirmed during the final design stages of the substation, prior to construction commencing.
Cables	The electrical reticulation will comprise of Low Voltage ("LV") and Medium Voltage ("MV") underground installed cables of up to 33kV. Where required as per the technical assessments these may be aboveground.

Battery Energy Storage System (BESS)	<p>Battery Energy Storage System (BESS) will be located next to each onsite 33/132kV substations and included in the IPP substation area. The BESS will be brought to the site already constructed.</p> <ul style="list-style-type: none"> • BESS 1 240MWh (1ha) • BESS 2 760 MWh (4ha)
Operation and Maintenance building	<p>Auxiliary building of approximately 0.2ha. The functions within these buildings include (but not limited to) to office/administration, control centre, ablution, workshops, storage areas and security centre.</p>
Construction Camp laydown area	<p>Temporary infrastructure required during the construction phase (estimated to be between 12-18 months)</p> <ul style="list-style-type: none"> • Construction equipment camps • Construction yard • Storage Areas
Temporary laydown or staging area	<p>Around 5-9 ha of laydowns areas will be required, but will not exceed 9ha (5 laydown areas, one on each site).</p>
site Access	<p>An access to the facility already exists in the form of a farm access point but may require minor upgrades in order to accommodate the proposed adjusted land use.</p>
Roads	<p>Existing internal gravel site roads will be used wherever possible. However, where required, new internal gravel roads may be constructed. Access and internal roads with a width of 5-6 m and up to 8 m at bends, and a road reserve width of 20 m to accommodate cable trenches, stormwater channels (as required), and turning circle/bypass areas. (Note: the layout and design of internal roads is yet to be finalized). Internal roads of approximately 16 ha total</p>

	footprint, consisting of existing gravel roads wherever possible and new roads where required
Associated infrastructure	<ul style="list-style-type: none"> • Fencing and lighting. Lightning Protection System ("LPS"). • Telecommunication infrastructure. • Batching plant (if required).
Fencing	New galvanized steel fencing with electrification on top, approximately 2.1m high. The fencing will surround each solar PV plant, 23km fencing, up to approx. 585ha.
Water supply	Storage and /or Abstraction of water from existing or new boreholes if required. The anticipated volumes are 220kl per day.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the Beaufort West Solar Photovoltaic (PV) Energy Facility (SEF) and associated Infrastructure located on Portion 0 of the Farm Oude Volks Kraal No.164 and Portion 0 of the Farm Quaggas Fontein No. 166, near Beaufort West in the Western 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 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. 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 grid connection infrastructure and associated infrastructure, 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 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 and Eskom'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 Eskom) and the powerline submitted as part of the BAR dated February 2023, are not approved. The final site layout plan of the on-site and/or switching substation, depicting the Independent Power Producer's section and Eskom'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 submitted to this department for approval.
 14. Once approved, 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 EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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 EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. 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.
20. 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.
21. 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

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 EMPrs remain valid, ensure that project compliance with the conditions of the environmental authorisation and the 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 EMPs, 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 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.

Operation of the activity

30. 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

31. 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

32. Vegetation clearing must be limited to the required footprint for construction works. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.

33. An archaeological pre-construction survey must be carried out focusing on those areas not yet surveyed.
34. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.
35. 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

36. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
37. at the site of the authorised activity;
 - 37.1. to anyone on request; and
 - 37.2. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
38. 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: 27/04/2023



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 November 2022.
- b) The information contained in the BAR dated February 2023.
- c) The comments received from the Western Cape Department of Environmental Affairs and Development Planning, South African Civil Aviation Authority, Heritage Western Cape, and other I&AP's and interested and affected parties as included in the BAR dated February 2023.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated February 2023 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in FBAR	Date issued
Stephan Stead	Visual Impact Assessment	November 2022
Ntuthuko Hlanguza	Transport Impact assessment	November 2022
Jayson Orton	Heritage Impact Assessment	November 2022
John Almond	Paleontological Impact Assessment	November 2022
Priantha Subrayen	Desktop Geotechnical Impact Assessment	November 2022
Johann Lanz	Agriculture and soils Impact Assessment	November 2022
Lloyd McFarlane	Social Impact Assessment	November 2022
Antonia Belcher	Aquatic Biodiversity Impact Assessment	November 2022
Simon Todd	Biodiversity Impact Assessment	October 2022
Chris van Rooyen	Avifauna Impact Assessment	October 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 February 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 February 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 February 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 February 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

