



forestry, fisheries & the environment

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

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DFFE Reference: 14/12/16/3/3/2/2535

Enquiries: Ms Olivia Letlalo

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Mr. Alberto Gambacorta
Biesjesvlei 1 (Pty) Ltd
5 Buitengracht St
20th Floor Portside Building
Cape Town City Centre
CAPE TOWN
8001

Telephone Number: 021 202 1230

Cellphone Number: [REDACTED]

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PER E-MAIL / MAIL

Dear Mr Gambacorta

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE DEVELOPMENT OF AN INDEPENDENT 400/132KV MAIN TRANSMISSION SUBSTATION ("MTS") AND A 400KV LOOP-IN-LOOP-OUT ("LILO") FROM THE MTS TO AN EXISTING Eskom POWER LINE, AS WELL AS ASSOCIATED INFRASTRUCTURE; NEAR SMITHFIELD, WITHIN THE MOHOKARE LOCAL MUNICIPALITY, XHARIEP DISTRICT MUNICIPALITY, FREE STATE 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.



Batho pele - putting people first



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

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Title: Environmental Authorisation for the development of an independent 400/132kV MTS and a 400 kV LILO from the MTS to an existing Eskom power line, and associated infrastructure near Smithfield, within the Mohokare Local Municipality, Xhariep District Municipality, Free State Province

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

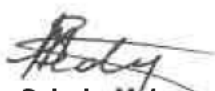
By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083, or

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


Dr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 11/11/2024

Mr Paul Lochner	CSIR	
Mr MJ Kanwendo	Mohokare Local Municipality	Email: info@mohokare.gov.za / kanwendoj@gmail.com sebinane.thejane@yahoo.com
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forestry, fisheries & the environment

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

Environmental Authorisation

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

The development of an independent 400/132kV MTS and a 400kV loop-in-loop-out (LILO) from the MTS to an existing Eskom power line, as well as associated infrastructure; near Smithfield, within the Mohokare Local Municipality, Xhariep District Municipality, Free State Province

Xhariep District Municipality

Application Register Number:	<i>14/12/16/3/3/2/2535</i>
Last amended:	<i>First issue</i>
Holder of authorisation	<i>Biesjesvlei 1(Pty) Ltd</i>
Location of activity:	<i>Portion 0 of Farm Klein Badfontein 369 and Portion 0 of Farm Paalland 373, near Smithfield Town, within Mohokare Local Municipality in the Free State Province</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Decision

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

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

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

Activities Authorised

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

Biesjesvlei 1 (Pty) Ltd

with the following contact details –

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CAPE TOWN
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Telephone Number: 021 202 1230

Cell phone Number: [REDACTED]

Email Address : [REDACTED]

to undertake the following activities (hereafter referred to as "the activity") indicated in of GN R. 982, GN R. 983, and GN R. 985 of 08 December 2014 (as amended):

Activity number	Activity description
<p><u>Listing Notice 1, Activity 12 (ii) (a) and (c):</u></p> <p><i>The development of –</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square meters or more, where such development occurs-</i></p> <p><i>(a) within a watercourse; or</i></p> <p><i>(c) within 32 meters of a watercourse, measured from the edge of a watercourse</i></p>	<p>The proposed project will entail the construction of various infrastructure and structures (such as, independent Main Transmission Substation (MTS), building infrastructure (Operational and Maintenance (O&M) building and offices), fencing, internal roads, 400kV Loop In-Loop-Out (LILO), service road for the LILO, and laydown area etc.).The footprint of the MTS covers approximately 36ha, within which the structures will be constructed. These infrastructure and structures will exceed a footprint of 100m² and some occur within small drainage features, watercourses, and wetlands, and within 32m of these aquatic features, which have been delineated by the aquatic specialist. The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province.</p>
<p><u>Listing Notice 1, Activity 19:</u></p> <p><i>The infilling or depositing of any material of more than 10 m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m³ from a watercourse;</i></p>	<p>The proposed project will entail the excavation, removal and moving of more than 10m³ of soil, sand, pebbles or rock from nearby small drainage features, watercourses, and wetlands. The proposed project will also entail the infilling of more than 10m³ of material into the nearby aquatic features. The aquatic features have been delineated by the aquatic specialist. This will</p>

	<p>occur as a result of development of the proposed MTS, LILO and associated infrastructure, including the development of service roads and drainage line crossings.</p>
<p>Listing Notice 1, Activity 28 (ii): <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> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province. The land within the study area is currently being used for livestock grazing and agriculture. The proposed MTS, which is considered a commercial/industrial development, will have a footprint in excess of 1ha (approximately 36ha). The service road for the 400kV LILO will also have a footprint in excess of 1ha. This will constitute infrastructure with a physical footprint of more than 1 a.</p>
<p>Listing Notice 2, Activity 9: <i>The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is –</i> <i>(a) temporarily required to allow for maintenance of existing infrastructure,</i> <i>(b) 2 kilometres or shorter in length,</i> <i>(c) within an existing transmission line servitude; and</i> <i>(d) will be removed within 18 months of the commencement of development.</i></p>	<p>The proposed project will include the development of an independent 400/132kV MTS. The MTS will include associated infrastructure, such as 132kV busbars, feeder bays, 500MVA 400/132kV transformers, and transformer bays. A dedicated overhead 400kV power line LILO will be constructed from the existing Eskom Beta-Delphi 400kV overhead power line to the proposed MTS. The above constitutes facilities for the distribution and transmission of electricity. The proposed project will take place outside of an urban area. It will be constructed on various affected farm portions, north-west of the town of Smithfield, in the Mohokare Local Municipality and Xhariep District Municipality, in the Free State Province.</p>

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<p><u>Listing Notice 3, Activity 15:</u></p> <p>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for:</p> <p>(i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The proposed project will include the development of an independent 400/132kV MTS. The MTS will cover a footprint of approximately 36ha. As a result, more than 20ha of indigenous vegetation will be removed for the construction of the proposed MTS. According to Mucina & Rutherford (2006, as amended), the study area and proposed project falls within Aliwal North Dry Grassland (Gh2) vegetation type.</p>
<p><u>Listing Notice 3, Activity 12 (b) (iv):</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><i>b. Free State</i></p> <p><i>iv. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>The proposed project will entail the construction of various EGI (such as independent MTS, building infrastructure (Operational and Maintenance (O&M) building and offices), fencing, internal roads, 400kV LILO, service road for the LILO, and laydown area etc.) and will take place in the Free State. The proposed MTS will have an estimated footprint of approximately 36ha within which the structures will be constructed. Where the service road crosses drainage features, new culverts, bridges or crossing structures will also be required. Some of these infrastructure and structures will occur within small drainage features, watercourses, and wetlands, and within 100m of these aquatic features, which have been delineated by the aquatic specialist. As a result, more than 300m² of indigenous vegetation will be removed from these areas for the construction of the proposed EGI.</p>

as described in the final Environmental Impact Assessment (EIAr) dated September 2024:

SG 21 Code for the Biesjesvlei MTS

F	0	3	1	0	0	0	0	0	0	0	0	0	3	6	9	0	0	0	0	0
F	0	3	1	0	0	0	0	0	0	0	0	0	3	7	3	0	0	0	0	0

SG 21 Code for the Biesjesvlei LILO

F	0	3	1	0	0	0	0	0	0	0	0	0	3	7	3	0	0	0	0	0
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Coordinates of the infrastructures (Biesjesvlei LILO and MTS)

Co-ordinate Point	Latitude(Y)	Longitude(X)	Latitude(S)	Longitude(E)
Main Transmission Substation (MTS) and associated infrastructure within the MTS site				
Corner Point 1	-30.10394286	26.37649782	30° 06' 14.19431040" S	26° 22' 35.39216280" E
Corner point 2	-30.10397227	26.38272495	30° 06' 14.30017200" S	26° 22' 57.80980920" E
Corner Point 3	-30.10938663	26.38269129	30° 06' 33.79187880" S	26° 22' 57.68864760" E
Corner Point 4	-30.10935722	26.37646383	30° 06' 33.68599560" S	26° 22' 35.26978080" E
400kV Loop-In-Loop-Out (LILO) and Service Road below the 400kV LILO				
Start-point	-30.10610017	26.39434567	30° 06' 21.96060357" S	26° 23' 39.64439823" E
Middle point	-30.12744818	26.37920274	30° 06' 23.92849549" S	26° 23' 20.00154265" E
End point	-30.12880094	26.37920118	30° 06' 26.11317375" S	26° 22' 57.73638338" E

- for the development of an independent 400/132kV MTS and a 400kV loop-in-loop-out ("LILO") from the MTS to an existing Eskom power line, as well as associated infrastructure near Smithfield, within the Mohokare Local Municipality, Xhariep District Municipality, Free State Province, hereafter referred to as "the property".

Project Description:

The proposed project will consist of the following main components and specifications:

Main Transmission Substation (MTS) and Loop-In-Loop-Out (LILO):

- Independent MTS:
 - ✓ Footprint: Approximately 36ha.
 - ✓ Height: 15m.
 - ✓ Capacity: 400/132kV.
 - ✓ Associated infrastructure includes busbars, feeder bays, transformers and transformer bays.
- Building Infrastructure:
 - ✓ Operational and Maintenance (O&M) building and offices approximately 500m² in area, and 7m in height.

MPS

- Fencing around the MTS Perimeter:
 - ✓ Type: Palisade or mesh or fully electrified.
 - ✓ Security: Access points will be managed and monitored by an appointed security service provider.
 - ✓ Height: Between 2m - 3m.
- Internal Roads within the MTS:
 - ✓ Details: New internal gravel roads will need to be established within the fenced off area of the MTS.
 - ✓ Width: Approximately 4m.
- 400kV Loop-In-Loop-Out (LILO):
 - ✓ The LILO will be routed above ground from the existing Eskom Beta-Delphi 400kV Overhead Power Line to the proposed MTS.
 - ✓ Height: Up to 37m.
 - ✓ Length: Approximately 1km.
 - ✓ Servitude: 55m wide.
 - ✓ Pylon specifications:
 - Type: Guyed-V towers, Strain towers or Cross-rope suspension towers.
 - Tower: Self-supporting and Angle Strain.
 - Foundation: The size of the footprint area for the base of the tower foundation will range to approximately 100m². The minimum working area required around a structure position is 20m x 20m.
 - Span Length: 200m – 375m.
- Service Road for the LILO:
 - ✓ Details: A new gravel service road will need to be established below the LILO.
 - ✓ Width: Approximately 4m.
- Storm water channels:
 - ✓ Details to be confirmed once the Engineering, Procurement and Construction (EPC) contractor has been selected and the design is finalised. Where necessary, a detailed storm water management plan would need to be developed.
- Work area during the construction phase (i.e. laydown area):
 - ✓ Footprint: Up to 13ha.
- Water Requirements:
 - ✓ Approximately 8 000m³ to 12 000m³ of water is estimated to be required per year for the construction phase.
 - ✓ Approximately 10 000m³ to 16 000m³ of water is estimated to be required per year

- ✓ for the operational phase.
- ✓ Water requirements during the decommissioning phase are expected to be the same
- ✓ as the construction phase.
- ✓ Potential sources: Existing boreholes on site or from the Local Municipality via
- ✓ trucks.
- Construction Period: 12 – 24 months.
- Operational Period: Once the commercial operation date is achieved, the proposed EGI will transmit electricity for a minimum period of 20 to 30 years.

Description of the components of Biesjesvlei MTS, LILO and Associated Infrastructure

Infrastructure /Component	Description
Independent Main Transmission Substation (MTS)	<ul style="list-style-type: none"> • Footprint: Approximately 36ha. • Height: 15m. • Capacity: 400/132kV. • Associated infrastructure includes busbars, feeder bays, transformers and transformer bays. There will be located within the 36ha footprint.
Building infrastructure	<ul style="list-style-type: none"> • Operational and Maintenance ("O&M") building and offices approximately 500m² in area, and 7m in height.
Fencing around the MTS Perimeter	<ul style="list-style-type: none"> • Type: Palisade or mesh or fully electrified • Security: Access points will be managed and monitored by an appointed security service provider.
Internal Roads within the MTS	<ul style="list-style-type: none"> • Details: New internal gravel roads will need to be established within the fenced off area of the MTS. • Width: Up to 4m.
400 kV Loop-In-Loop-Out (LILO)	<ul style="list-style-type: none"> • The LILO will be routed above ground from the existing Eskom Beta-Delphi 400kV Overhead Power Line to the proposed MTS. • Height: Up to 37m • Length: Approximately 1km • Servitude: 55m wide

MJS

Infrastructure /Component	Description
	<ul style="list-style-type: none"> • Pylon specifications:
Work area during the construction phase (i.e. laydown area)	<ul style="list-style-type: none"> • Footprint: 0.5ha to 1ha
Water Requirements	<ul style="list-style-type: none"> • Approximately 100m³ of water is estimated to be required per year for the construction phase. • Water requirements during the decommissioning phase are expected to be the same as the construction phase. • Potential sources: Existing boreholes on site or from the Local Municipality via trucks. <ul style="list-style-type: none"> ➢ Type: Guyed-V towers, Strain towers or Cross-rope suspension towers. ➢ Tower: Self-supporting and Angle Strain. ➢ Foundation: The size of the footprint area for the base of the tower foundation will range to approximately 100m². The minimum working area required around a structure position is 20m x 20m. ➢ Span Length: 200m – 375m
Service Road for the LILO	<ul style="list-style-type: none"> • Details: A new gravel service road will need to be established below the LILO. • Width: Approximately 4m
External Access Roads	<p>Refer to the detail provided in Section 2.4.6 of this chapter. Note that the Biesjesvlei MTS and LILO project will be developed after the PV or BESS projects have commenced (should relevant approvals be granted), and as such will make use of access roads developed for the PV or BESS projects.</p>
Storm water channels	<p>Details to be confirmed once the Engineering, Procurement and Construction ("EPC") contractor has been selected and the design is finalised. Where necessary, a detailed storm water management plan would need to be developed.</p>

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Infrastructure /Component	Description
Work area during the construction phase (i.e. laydown area)	<ul style="list-style-type: none"> • Footprint: Up to 13ha
Water Requirements	<ul style="list-style-type: none"> • Approximately 8 000m³ to 12 000m³ of water is estimated to be required per year for the construction phase. • Approximately 10 000m³ to 16 000m³ of water is estimated to be required per year for the operational phase. • Water requirements during the decommissioning phase are expected to be the same as the construction phase. • Potential sources: Existing boreholes on site or from the Local Municipality via trucks
Construction Period	<ul style="list-style-type: none"> • 12 – 24 months
Operational Period	Once the commercial operation date is achieved, the proposed EGI will transmit electricity for a minimum period of 20 to 30 years

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed development of an independent 400/132kV MTS and a 400kV loop-in-loop-out (LILO) from the MTS to an existing Eskom power line, as well as associated infrastructure near Smithfield, within the Mohokare Local Municipality, Xhariep District Municipality, Free State 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 affected. 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. The continuation of any such activities after the above-mentioned period has lapsed may trigger one or more listed and/or specified activities, including activity 32 of Listing Notice 1. Such continuation without the required environmental authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of National Environmental Management Act (NEMA).
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. Biesjesvlei MTS and Biesjesvlei LILO layout map, Figure B on page 2 and Figure I on page 9 (attached as Appendix D) of the final EIAr dated September 2024 is hereby approved.
14. The generic Environmental Management Programme (EMPr) for the substation (Biesjesvlei MTS) and the powerline (Biesjesvlei LILO), submitted as part of the final EIAr dated September 2024, are hereby approved and must be implemented and adhered to.
15. The generic EMPrs (for the powerline and substation) 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 final EIAr 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 and access routes must be limited to the areas required for actual construction works.

34. A permit must be obtained from the relevant authorities for the removal or disturbance of any conservation important plant species (TOPs, Red Data listed or provincially protected species) prior construction.
35. Eskom approved anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g., grasslands, rivers, wetlands, and dams).
36. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
37. A 19m buffer from the wetlands recommended by the Aquatic Specialist must be implemented.
38. A 50m buffer around the archaeological site and a cemetery close to the access road recommended by the Heritage specialist must be implemented.
39. 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.
40. Hazardous substances must be stored in a bunded and designated area to avoid accidental leakage into the environment.
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: 11/11/2024



Dr 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 on 08 March 2024 and amended application form submitted with the final EIAr on 12 September 2024.
- b) The information contained in the final EIAr dated September 2024.
- c) The comments received from all interested and affected parties as included in the final EIAr dated September 2024.
- d) Mitigation measures as proposed in the EIAr and the EMPr and the generic EMPr dated September 2024.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr.

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 final EIAr dated September 2024 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated September 2024 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

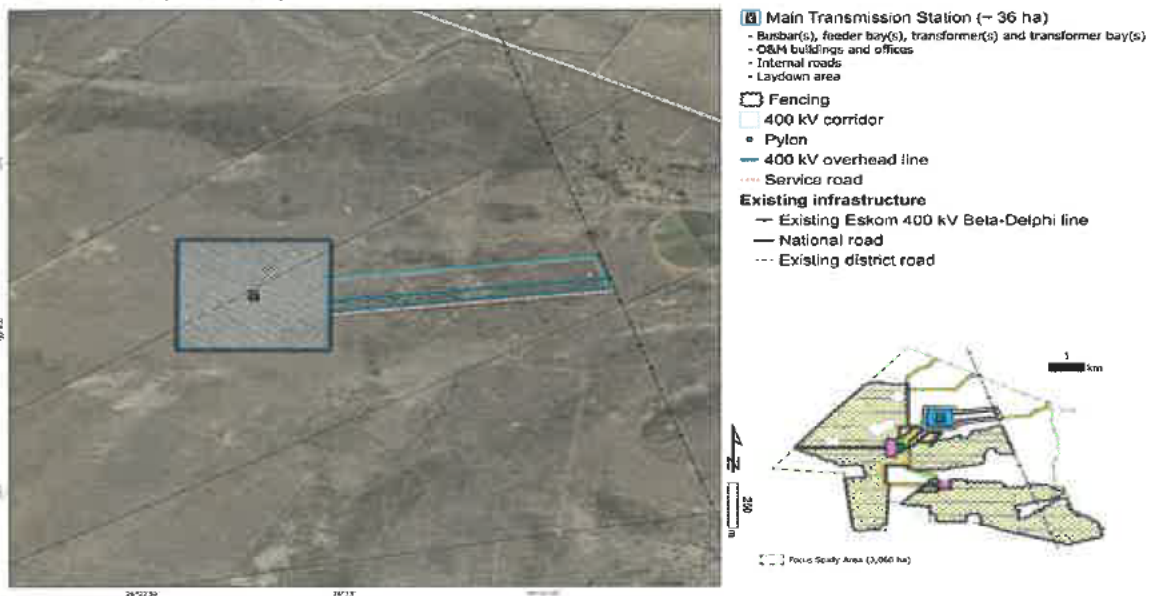
- a) The identification and assessment of impacts are detailed in the final EIAr dated September 2024 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

- d) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIA 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 A: Final layout for Biesjesvlei MTS and Biesjesvlei LILO

Biesjesvlei Main Transmission Station and Loop-In-Loop-Out infrastructure near Smithfield, Free State, South Africa



Annexure A: Biesjesvlei MTS and Biesjesvlei LILO sensitivity map

Biesjesvlei Main Transmission Station and Loop-In-Loop-Out infrastructure near Smithfield, Free State, South Africa

