



# 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:** 14/12/16/2/2/1/2567

**Enquiries:** Mmamohale Kabasa

**Telephone:** (012) 399 9420 **E-mail:** MKabasa@dffe.gov.za

Mr Jadon Schmidt  
Red Cap Impofu West (Pty) Ltd  
Unit B2 Mainstream Centre  
**HOUT BAY**  
7806

Telephone Number: (021) 790 1392  
Email Address: jadon@red-cap.co.za

## **PER EMAIL**

Dear Mr Schmidt

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE ESTABLISHMENT AND OPERATION OF THE 140MW BATTERY ENERGY STORAGE INFRASTRUCTURE FOR THE IMPOFU WIND FARM (WEST) NEAR THE TOWN OF OYSTER BAY WITHIN THE KOUGA LOCAL MUNICIPALITY IN THE EASTERN CAPE PROVINCE**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the EIA Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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 the National Environmental Management Act, 1998 (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 twenty (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: [appealsdirector@dfef.gov.za](mailto:appealsdirector@dfef.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.dffe.gov.za/documents/forms#legal\\_authorisations](https://www.dffe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@dfef.gov.za](mailto:appealsdirector@dfef.gov.za).

Yours faithfully



**Ms Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 14/11/2022.

cc:	B Clark	CEN Integrated Environmental Management Unit	Email: <a href="mailto:bclark@telkomsa.net">bclark@telkomsa.net</a> / <a href="mailto:steenbok@aerosat.co.za">steenbok@aerosat.co.za</a>
	J Govender	Province of the Eastern Cape: Department of Economic Development Environmental Affairs and Tourism	Email: <a href="mailto:Dayalan.govender@dedea.gov.za">Dayalan.govender@dedea.gov.za</a> / <a href="mailto:andries.struwid@dedea.gov.za">andries.struwid@dedea.gov.za</a>
	C du Plessis	Kouga Local Municipality	Email: <a href="mailto:jreed@kouga.gov.za">jreed@kouga.gov.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

**THE 140MW BATTERY ENERGY STORAGE INFRASTRUCTURE FOR THE IMPOFU WIND FARM (WEST)  
NEAR THE TOWN OF OYSTER BAY WITHIN THE KOUGA LOCAL MUNICIPALITY IN THE EASTERN  
CAPE PROVINCE**

**Sarah Baartman District Municipality**

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/2567</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>Red Cap Impofu West (Pty) Ltd</i>
<b>Location of activity:</b>	<i>Portion 1 of the Farm Kliprug No. 676 Kouga Local Municipality Sarah Baartman District Municipality Eastern Cape 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 –

### **RED CAP IMPOFU WEST (PTY) LTD**

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

with the following contact details –

Mr Jadon Schmidt  
Unit B2 Mainstream Centre  
**HOUT BAY**  
7806

Telephone Number: (021) 790 1392  
Cell phone Number: (082) 468 2392  
Email Address: jadon@red-cap.co.za

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notice 1 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) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.”</i></p>	<p>The development will include a new 132kV line to connect the BESS substation to the Grid, running in parallel to the line that will be built for the Wind Farm and a new 132kV line between the new proposed substation within the BESS footprint to the Grid.</p>
<p><u>Listing Notice 1, Item 14:</u>  <i>“The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 m<sup>3</sup> or more but not exceeding 500 m<sup>3</sup>.”</i></p>	<p>The combined capacity of electrolyte storage tanks will be greater than 80m<sup>3</sup> but less than 500m<sup>3</sup> should the redox-flow technology be selected by the applicant.</p>
<p><u>Listing Notice 1, Item 28:</u>  <i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development            (ii) Will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</i></p>	<p>The development footprint will be ~4ha in extent and is in an area used for intensive agriculture.</p>

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

**SG 21 Code**

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**Coordinates:**

	<b>Latitude</b>	<b>Longitude</b>
Centre position of BESS footprint on the farm	34° 05' 03.41" S	24° 33' 17.73" E
132kV line co-ordinates (at pylon positions)		
Pylon 1	34° 05' 06.09"S	24° 33' 16.08"E
Pylon 2	34° 05' 05.13"S	24° 33' 23.07"E
Pylon 3	34° 05' 08.23"S	24° 33' 18.55"E
Pylon 4	34° 05' 10.03"S	24° 33' 16.84"E

- for the development of the 140MW Battery Energy Storage Infrastructure for the Impofu Wind Farm (West) near the town of Oyster Bay within the Kouga Local Municipality in the Eastern Cape Province, hereafter referred to as "the property".

**The BESS facility will comprise the following:**

- A new 132kV substation located next to the BESS;
- A new 132kV line between the new substation within the BESS footprint to the Grid;
- Lithium-Ion BESS technology (e.g., Lithium Ferro Phosphate (LFP), Nickel Manganese Cobalt Oxide (NMC) or similar chemistries including Solid State batteries); or Redox-flow BESS technology (e.g., vanadium flow battery, or similar technology and chemistries);
- Concrete foundation;
- Air conditioners;
- Underground cables connecting the BESS to the substation and feeder bay extensions; and
- Storm-water management measures to be implemented on site.

**Technical details of the facility:**

<b>Component</b>	<b>Description/ Dimensions</b>
Location of the site	Near the town of Oyster Bay on Portion 1 of the Farm Kliprug No. 676 within the Kouga Local Municipality, Eastern Cape Province.
SG Codes	C03400000000067600001

Site access	The project site can be accessed off a short new access road through cultivated (transformed) land branching from the approved Wind Farm road to the substation.
Export capacity	Up to 140MW
Proposed technology	A lithium-ion (Li-ion) battery or Redox-flow BESS technology (e.g. vanadium flow battery, or similar technology and chemistries).

<b>Powerline</b>	
Powerline Capacity	132kV
Corridor length	640m
Corridor width	20m
Height of Powerline	Up to 32m
Type of Pylon	Single Monopole-type pylon
Access	Off a short new access road through cultivated (transformed) land branching from the approved Wind Farm road.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The 140MW Battery Energy Storage Infrastructure for the Impofu Wind Farm (West) near the town of Oyster Bay within the Kouga Local Municipality in the Eastern Cape Province is approved as per the geographic coordinates and technical details cited in the tables 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.
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 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
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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. A final site layout plan for the BESS facility, 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. The layout map must indicate the following:
  - 13.1. The position of the Battery Energy Storage Facility;
  - 13.2. The location of the BESS 132kV Substation;
  - 13.3. The specific position of the powerline route, with pylon structures and foundation footprints;
  - 13.4. The finalised access route;
  - 13.5. All associated infrastructure;
  - 13.6. All sensitive features; and
  - 13.7. All "no-go" and buffer areas.
14. The Environmental Management Programme (EMPr) for the BESS facility (appendix 7 and Appendix 8), submitted as part of the BAR is not approved and must be amended to include measures, as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. The EMPr 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 EMPr must be submitted to the Department for written approval prior to commencement of the activity.
15. The EMPr amendment must include the following:
  - 15.1. The details of the preferred technology or technology mixture, and the mitigation measures for that preferred technology or technology mixture;
  - 15.2. The requirements and conditions of this Environmental Authorisation;
  - 15.3. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the final BAR dated August 2022;

- 15.4. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats. This plan must ensure to include drainage features that will be infilled and or excavated;
  - 15.5. A storm water and wash water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of 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;
  - 15.6. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion. This plan must ensure to include drainage features that will be infilled and or excavated; and
  - 15.7. The final site layout map.
16. The generic EMPr (Appendix 9 and 10) for the overhead line and substation and all associated infrastructure, submitted as part of the final BAR dated August 2022, is not approved. Part B and Part C must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. Part C of the generic EMPr 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 generic EMPr must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPr must be amended to include the following:
- 16.1. The details of the authorised project as indicated in this EA, and the mitigation measures for the option authorised;
  - 16.2. The requirements and conditions of this Environmental Authorisation;
  - 16.3. Measures as dictated by the final site lay-out map and micro-siting;
  - 16.4. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the final BAR dated August 2022;
  - 16.5. A re-vegetation and habitat rehabilitation plan. The plan must provide for restoration to be undertaken as soon as possible after completion of construction activities, to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.

- 16.6. An aquatic rehabilitation and monitoring plan, particularly for watercourse features that will be infilled and / or excavated;
- 16.7. A stormwater management plan; and
- 16.8. The final site layout map.
17. Once approved the EMPrs must be implemented and adhered to. They shall be seen as dynamic documents and shall be included in all contract documentation for the development.
18. Changes to the approved EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
19. 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**

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 27 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.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. 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.
23. 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.
24. 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 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

25. 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.
  - 25.1. The ECO must be appointed before commencement of any authorised activities.
  - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 25.4. 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

26. 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.
27. 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.
28. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
29. 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.
30. 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.

31. 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**

32. 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**

33. 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**

34. 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**

35. The holder of the EA must decide on the preferred technology or technology mixture and inform this Department prior to commencement of construction.
36. Vegetation clearing must be limited to the required footprint for actual construction works and operational activities. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
37. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
38. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction, work in the immediate vicinity of the find must be stopped, SAHRA must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources to be made.

39. 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.
40. Any solid waste, which will not be recycled, 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). No waste material may be left on site after construction.

### **General**

41. The recommendations of the EAP in the BAR dated August 2022 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
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: 14/11/2022.



**Ms Milicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations**

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

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 17 July 2022.
- b) The information contained in the BAR dated August 2022.
- c) The comments received from Eskom, the Kouga Local Municipality, the Department of Agriculture, Land Reform and Rural Development, the Department of Water and Sanitation and other interested and affected parties included in the BAR dated August 2022.
- d) Mitigation measures as proposed in the BAR.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated August 2022 and as appears below:

Title	Prepared by	Date
Visual Impact Assessment	Quinton Lawson and Bernard Oberholzer Landscape Architect	June 2021
Agricultural Impact Assessment	Johann Lanz	October 2021
Archaeological Impact Statement	Dr Peter Nilssen	June 2021
Paleontological Impact assessments	Natura Viva	June 2021
Biodiversity Compliance Statement	3Foxes Biodiversity Solutions (Pty) Ltd	October 2021
Faunal Species Compliance Statement	CES-Environmental and Social Advisory Services	June 2021
Terrestrial Invertebrate Compliance Statement	Afribugs CC	June 2021
Avifaunal Impact Assessment	WildSkies Ecological Services (Pty) Ltd	June 2021
Aquatic Biodiversity Compliance Statement	EnviroSci (Pty) Ltd	July 2021
Socio-Economic Impact Assessment	INDEX Social Services	September 2021

## 2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The BAR dated August 2022 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed BESS.
- e) The methodology used in assessing the potential impacts identified in the BAR dated August 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 August 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 information contained in the BAR dated August 2022 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.





## forestry, fisheries & the environment

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

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA  
Tel(+ 27 12 ) 399 9000

Enquiries: Devinagle Bendeman Telephone: 012 399 9337 E-mail: [vbendeman@dffe.gov.za](mailto:vbendeman@dffe.gov.za)

Ms. Milicent Solomons  
Director: Prioritised Infrastructure Projects

Dear Ms. Solomons

### APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 01 NOVEMBER 2022 – 16 DECEMBER 2022

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorizations, for the period of 01 November 2022 – 16 December 2022 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 Authorizations 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. Devinagle Bendeman  
Deputy Director-General: RCSM (Regulatory Compliance and  
Sector Monitoring)

Date: 31 October 2022

#### ACKNOWLEDGEMENT

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

Signed:

Date: 31/10/2022.