



# forestry, fisheries & the environment

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

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

**DFFE Reference:** 14/12/16/3/3/2/2162/AM2

**Enquiries:** Ms Nyiko Nkosi

**Telephone:** (012) 399 9392 **E-mail:** [nnkosi@dfef.gov.za](mailto:nnkosi@dfef.gov.za)

Mr Peter Carl Venn  
Umbila Emoyeni (Pty) Ltd  
PO BOX 639  
Northlands  
**JOHANNESBURG**  
2196

Telephone Number: 083 689 3063  
Email Address: [Peter.venn@seritigreen.com](mailto:Peter.venn@seritigreen.com)

## PER EMAIL / MAIL

Dear Mr Venn

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JANUARY 2023, AS AMENDED, FOR THE DEVELOPMENT OF UMBILA EMOYENI ELECTRICAL GRID INFRASTRUCTURE, MPUMALANGA PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 27 January 2023, the amendment to the EA dated 17 February 2023, your application for amendment of the EA received by the Department on 19 April 2023 and the acknowledgement letter dated 25 April 2023 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 27 January 2023, as amended as follows:

#### **Amendment 1: Amendment to the Applicant's details**

##### **From:**

*Emoyeni Renewable Energy Farm (Pty) Ltd*

With following postal address:

POSTNET Suite 216  
Private Bag X26  
Tokai  
**CAPE TOWN**  
6001

*M.S*

**To:**

Umbila Emoyeni (Pty) Ltd  
With following postal address:

P.O BOX 639  
Northlands  
**JOHANNESBURG**  
2196

**Reason for amendment:**

The current holder, Emoyeni Renewable Energy Farm (Pty) Ltd wishes to transfer the EA to Umbila Emoyeni (Pty) Ltd, a Special Purpose Vehicle (SPV) constituted for the project. Umbila Emoyeni (Pty) Ltd accepts full responsibility for the EA. This SPV is fully owned by Seriti Green Developments, who also own Emoyeni Renewable Energy Farm (Pty) Ltd.

**Amendment 2: Amendment of conditions 12 and 13 on page 11 of the EA**

**From:**

12. *A final site layout plan for the power line (with micro-siting of the powerline route and pylon structures) and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval, prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible. The layout map must indicate the following:*
  - 12.1. *The final delineation of the centreline of the power line;*
  - 12.2. *Positions of all infrastructure as approved;*
  - 12.3. *The specific position of the pylon structures and foundation footprints;*
  - 12.4. *All existing infrastructure on site, especially roads;*
  - 12.5. *Any sensitive environmental features that will be affected by the power line; and*
  - 12.6. *All "no-go" and buffer areas.*
13. *The generic Environmental Management Programme (EMPr) for the substation and generic EMPr for powerline, submitted as part of the EIAR is not approved and must be amended to include measures, as dictated by the final site lay-out map required as per condition 12 above and the provisions of this environmental authorisation. The generic EMPrs 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 generic EMPrs must be submitted to the Department for written approval prior to commencement of the activity.*

**To:**

12. *The project will be developed in phases. A final site layout plan, per phase, for the power line (with micro-siting of the powerline route and pylon structures) 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 per phase must be made available for comments to registered Interested and Affected Parties, as applicable per phase, and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval, prior to commencement of the activity. All available biodiversity information must be used in the*

finalisation of the layout map. Existing infrastructure must be used as far as possible. The layout map must indicate the following:

- 12.1 The final delineation of the centreline of the power line;
- 12.2 Positions of all infrastructure as approved;
- 12.3 The specific position of the pylon structures and foundation footprints;
- 12.4 All existing infrastructure on site, especially roads;
- 12.5 Any sensitive environmental features that will be affected by the power line; and
- 12.6 All "no-go" and buffer areas.

13. The generic Environmental Management Programme (EMPr) for the substation and generic EMPr for powerline, submitted as part of the EIAr is not approved and must be amended to include measures, as dictated by the final site lay-out map, per phase, required as per condition 12 above and the provisions of this environmental authorisation. The generic EMPrs must be made available for comments to registered Interested and Affected Parties, as applicable per phase, and the holder of this environmental authorisation must consider such comments. Once amended, the final generic EMPrs must be submitted to the Department for written approval prior to commencement of the activity.

### **Amendment 3: Inclusion of a Condition to the EA:**

The following condition is herewith added into the EA:

13A. The layout plan and EMPr to be submitted per applicable phase must include the linkage and details of the previous phase (if applicable) as well as indicating the remaining extent/phases yet to be submitted for approval.

### **Reason for amendment:**

Phase 1 of the greater project will build the grid infrastructure (the new Main Transmission Substation) that will allow the greater project to connect to the national grid. Noting that this infrastructure will then be handed over to Eskom to be utilized as a national asset. Phase One will include the MTS and Collector station (as well as the overhead line between). The exact scope that the applicant will seek to finalize will of course be included in the final walkthrough and EMPr report. This scope will allow the power for Phase 1 to be evacuated to the national grid. As previously mentioned, the MTS will be handed over to Eskom for use as a national asset.

Both conditions 12 and 13 of the EA do not provide for the implementation of the project in phases. Emoyeni Renewable Energy Farm (Pty) Ltd is therefore requesting a change in the wording of these conditions to clearly indicate that the finalisation of the layout and the EMPr will be completed within phases, as stated in the Final EIA report. This amendment will not change the scope of the assessment or the EA as the total capacity of the facility and the extent of authorised infrastructure will not be exceeded. It will only allow the project to be constructed in an appropriate and responsible manner.

This proposed amendment letter must be read in conjunction with the EA dated 27 January 2023, as amended.

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.

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 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of 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 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@dfef.gov.za](mailto:appeals@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.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dfef.gov.za](mailto:appeals@dfef.gov.za)

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**

Date: 15/05/2023

cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: <a href="mailto:joanne@savannahsa.com">joanne@savannahsa.com</a>
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