



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia, · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/745

Enquiries: Ms Dakalo Netshiombo

Telephone: (012) 399 8877 E-mail: DNetshiombo@environment.gov.za

Mr Archibold Mogokonyane
Eskom Holdings SOC Limited
PO Box 1091
JOHANNESBURG
2000

Tel: (011) 800 3778
Email: MogokoA@eskom.co.za

PER FACSIMILE / MAIL

Dear Mr Mogokonyane

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998:
GN R. 543, 544 AND 546: FOR THE PROPOSED CONSTRUCTION OF THE ISUNDU 765/400kV SUBSTATION AND
TURN-IN TRANSMISSION LINES WITHIN MZUNDUZI AND MKHAMBATHINI LOCAL MUNICIPALITIES IN THE
UMGUNGUNDHLOVU DISTRICT MUNICIPALITY, KWAZULU NATAL 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 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By post: Private Bag X 447,
Pretoria, 0001; or

By hand: Department of Environmental Affairs
Environment House
473 Steve Biko Road
Arcadia
Pretoria,

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

The Director: Appeals and Legal Review, of this Department at the above mentioned addresses or email to the following:

Email: AppealsDirectorate@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 29/05/2018.

cc	Dr R D Heinsonh	ACER (Africa) Environmental Consulting	Tel: (035) 340 2715	Email:dieter.heinsonh@acerafrica.co.za
	Mr R Kalicharan	DEDTEA	Tel: (033) 342 1820	Email:reka.kalicharan@kzndae.gov.za
	Mrs T Ndlela	Mkhambathini Local Municipality	Tel: (031) 785 9341	Email: mm@mkhambathini.gov.za
	Mr. S Hadebe	Msunduzi Local Municipality	Tel: (033) 392 3000	Email: sizwe.hadebe@msunduzi.gov.za



APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs (DEA)).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal must be:-**
 - a) submitted in writing;
 - b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 36 of the Environmental Impact Assessment Regulations, 2010

C

Construction of the Isundu 765/400kV Substation and turn in transmission lines within Mzunduzi and Mkhambathini Local Municipalities, KwaZulu Natal Province

uMgungundlovu District Municipality

Authorisation register number:	14/12/16/3/3/2/745
Last amended:	First issue
Holder of authorisation:	Eskom Holdings SOC Limited
Location of activity:	KWAZULU NATAL PROVINCE: uMgungundlovu District Municipality

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 authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA Regulations, 2010.

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, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises

–

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

Mr Archibold Mogokonyane
Eskom Holdings SOC Limited
PO Box 1091
JOHANNESBURG
2000

Tel: (011) 800 3778

Email: MogokoA@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 and 3 (GN R. 544, 545 and 546):

Activity number	Activity description
<p><u>GN R. 544: Activity 11:</u> The construction of: (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>The project entails the construction of a sub-station and power line infrastructure including towers and access roads in excess of 50 m² in size potentially within watercourses or within 32 m from watercourses.</p>
<p><u>GN R. 544: Activity 13:</u> The construction 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 but not exceeding 500 cubic metres;</p>	<p>The project entails the construction of a new sub-station, including storage facilities for oil. Based on initial concept designs, storage facilities will have a capacity of ≥ 80 m³ but not exceeding 500 m³</p>
<p><u>GN R. 544: Activity 18:</u> The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from: (i) a watercourse</p>	<p>During construction, the work will involve the disturbance of watercourses by the dredging and removal of soil and rock material of more 5 m³ from a watercourse. The work will also involve infilling and stabilisation</p>
<p><u>GN R. 544: Activity 22:</u> The construction of a road, outside urban areas, (ii) where no reserve exists where the road is wider than 8 metres, or</p>	<p>A tarred access road with a total width, shoulder to shoulder, of approximately 9 m. The length is estimated to be approximately 750 m. Tracks across the veld will be required to access the transmission line towers</p>



<p><u>GN R. 545: Activity 8:</u></p> <p>The construction 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.</p>	<p>The project entails the construction of a new sub-station, outside an urban area, with a capacity of 765kV. The project also entails the construction of 2 x 400kV double circuit transmission lines</p>
<p><u>GN R. 545: Activity 15:</u></p> <p>Physical alteration of undeveloped vacant or derelict land for residential retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more</p>	<p>The project entails the construction of a new sub-station with a site footprint of approximately 100 ha and a sub-station footprint of approximately 50-60 ha</p>
<p><u>GN R. 546: Activity 3:</u></p> <p>The construction of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast:</p> <p>(a) is to be placed on a site not previously used for this purpose,</p> <p>(ii) Outside urban areas</p> <p>gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</p>	<p>The project entails the construction of a new sub-station, including a telecommunications tower, where the mast will be placed on a site not previously used for telecommunications purposes and the height of the mast is expected to exceed 15 m, and will be within 5 kilometres of a protected area</p>
<p><u>GN R. 546: Activity 4:</u></p> <p>The construction of a road wider than 4 metres with a reserve less than 13.5 metres.</p> <p>(a) In KwaZulu Natal</p> <p>ii. Outside urban areas, in:</p>	<p>The project entails the construction of a 765/400kV sub-station and 2 x 400kV double circuit transmission lines. Eskom will require an access road for construction and operation. It is anticipated that the access road will be</p>

<p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve</p>	<p>wider than 4 m and will be within 5 kilometres of a protected area</p>
<p><u>GN R. 546: Activity 10:</u> The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</p> <p>(a) In KwaZulu Natal</p>	<p>The project entails the construction of a new sub-station, including storage facilities for oil. Based on initial concept designs, storage facilities may have a capacity of $\geq 30 \text{ m}^3$ but $\leq 80 \text{ m}^3$</p>
<p><u>GN R. 546: Activity 12:</u> The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.</p>	<p>The project entails the removal of indigenous vegetation for the sub-station site and transmission line servitudes. Based on initial concept designs, 300 m² or more of indigenous vegetation will be removed</p>
<p><u>GN R. 546: Activity 13:</u> The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <p>c) In KwaZulu Natal</p> <p>(ii) Outside urban areas, the following:</p>	<p>The project entails the removal of indigenous vegetation for the sub-station site and transmission line servitudes. Based on initial concept designs, 1 ha or more of indigenous vegetation will be removed</p>

<p>(ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	
<p><u>GN R. 546: Activity 14(a)</u> The clearance of an area of 5 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for: (a) <u>In KwaZulu Natal</u></p>	<p>The project entails the removal of indigenous vegetation for the sub-station site and transmission line servitudes. Based on initial concept designs, 5 ha or more of indigenous vegetation will be removed</p>
<p><u>GN R. 546: Activity 16:</u> The construction of: (iv) infrastructure covering 10 square metres or more (a) In Kwazulu Natal ii. Outside urban areas, in: (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	<p>The project entails the construction of a sub-station and power line infrastructure including towers and access roads in excess of 10 m² in size, potentially within watercourses or within 32 m from watercourses and will be within 5 kilometres of a protected area</p>

as described in the Environmental Impact Assessment Report (EIAr) dated September 2017 at:

Site Alternative Preferred	Latitude	Longitude
	29°39'29.20"S	30°30'51.52"E
	29°39'54.68"S	30°31'14.41"E
	29°40'14.81"S	30°30'45.22"E
	29°39'49.28"S	30°30'22.21"E

- for the proposed construction of the Isundu 765/400kV substation and turn in transmission lines within Mzunduzi and Mkhambathini Local Municipalities within uMgungundlovu District Municipalities, KwaZulu Natal Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- A taxiway system;
- 1 x 765kV transmission line (the authorised VSHA transmission line corridor);
- 2 x 400kV double-circuit transmission lines from the sub-station to tie into the existing Hector-Ariadne 400kV double-circuit transmission lines approximately 4 km away;
- 2 x 400kV lines from the proposed Mbewu Substation near Empangeni

Sub-station components and their functions Equipment	Function
Transformers	To step-down or step-up voltage and transfer power from one current to another. The windings of such large transformers are immersed in transformer oil, which is a highly refined mineral oil that is stable at high temperatures and has excellent electrical insulating properties. Its functions are to insulate, suppress corona and arcing, and to serve as a coolant for transformers
Circuit breakers	Automatic switching during normal or abnormal conditions
Feeder bay	Steelwork housing for circuits
Reactors	Equipment for the efficient operation of long transmission power lines as they compensate the voltage on power lines to avoid uncontrolled voltage rise, especially on lightly loaded lines
Isolators	Equipment for de-energising a circuit for maintenance and repair

Busbars	Incoming and outgoing circuits of the same voltage tie into a common node called a busbar, which consists of a number of tubular conductors made of aluminium
Oil holding bund	For containment of accidental oil spills from transformers
Wave trapper	Equipment for trapping communication signals sent via the transmission lines rather than the telephone network
Loop-in lines	Incoming power lines (connected to busbars)
Loop-out lines	Outgoing power lines (connected to busbars)
Telecommunication mast	Equipment used for remote communication with the sub-station
Buildings	Administrative office, control room, ablution blocks, equipment and storage areas
Lighting	For safety and security as well as for night-time emergency operations and maintenance

Other infrastructure included in this application is as follows:

- A tarred access road to the sub-station with a total width, shoulder to shoulder, of approximately 9 m. The length is estimated to be approximately 750 m;
- Access to the towers will be via tracks across the veld from within the corridor, wherever possible;
- A microwave radio communication mast with a height of approximately 75 m;
- Floodlight masts approximately 36 m high;
- Oil and fuel storage facilities, and an oil bund to contain any transformer oil spills with a capacity of $\geq 30 \text{ m}^3$ but $\leq 80 \text{ m}^3$.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred alternatives of the proposed construction of the Isundu 765/400kV Substation and turn-in transmission lines within Mzunduzi and Mkhambathini Local Municipalities within uMgungundlovu District Municipality, KwaZulu Natal Province, is approved.
2. Authorisation of the activity is subject to the conditions contained in this 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 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 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 five (5) years from the date of issue of this 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. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.

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 12 (twelve) 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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 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.

11. The holder of the authorisation must publish a notice –
 - 11.1. informing interested and affected parties of the decision;
 - 11.2. informing interested and affected parties where the decision can be accessed; and
 - 11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of the application for environmental authorisation is hereby approved.
13. The EMPr must be implemented and strictly enforced during all phases of the project.
14. The EMPr must be seen as a dynamic document and must be included in all contract documentation for all phases of the development.
15. The provisions of the EMPr are an extension to the conditions of the environmental authorisation and therefore non-compliance with the EMPr shall constitute non-compliance with the environmental authorisation.

Monitoring

16. The applicant must appoint a suitably independent 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
 - 16.1. The ECO must be appointed before commencement of any authorised activities.
 - 16.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 16.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 16.4. 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.

16.5. 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.

Recording and reporting to the Department

17. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at the Department.
18. The holder of the authorisation must 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 within 30 days of completion of rehabilitation activities.
19. The environmental audit report 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 EMPr.
20. 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.

Commencement of the activity

21. The authorised activity must not commence within twenty (20) days of the date of signature of the authorisation.
22. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 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.

Notification to authorities

23. 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. This notification period may coincide with the notice of intent to appeal period.

Operation of the activity

24. 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.
25. The holder of this authorisation must compile an operational EMPr for the operational phase of the activity or alternatively, if the holder has an existing operational environmental management system, it must be amended to include the operation of the new runway.

Site closure and decommissioning

26. Should the activity ever cease or become redundant, the applicant 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

27. A Relocation Management Plan must be developed for the relocation of the Africa Bird of Prey Sanctuary (ABOPS) and Raptor Rescue Centre in consultation with the management authority prior to construction taking place.
28. The abovementioned plan must be submitted to the Directorate: Biodiversity Conservation for their comment and approval prior to commencement of construction.
29. The relocation of the Africa Bird of Prey Sanctuary (ABOPS) and Raptor Rescue Centre must be timed and planned so that potential impacts from noise and traffic during the initial earthworks stage of construction do not put at risk the success of the bearded vulture breeding programme.
30. The substation must be fenced with sound proof walls to minimise noise and electromagnetic fields (EMF) impacts to nearby properties and 200m buffer between the wall and the properties must be preserved.
31. Mayibuye Game Reserve already have a boundary of 169m from the road that borders the proposed site and the Mayibuye Property and this boundary must be used as a buffer.
32. During any blasting activity monitoring of animals at the Natal Zoological Gardens and Natal Lion Park must be done to confirm if the animals are not being unduly stressed or frightened. If the behaviour changes and stresses are identified, appropriate mitigation measures must be put in place.

33. All mitigation measures and recommendations recorded by the noise specialists must be adhered to.
34. Generation of dust must be minimised and dust control measures must be implemented.
35. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area.
36. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation (DWS).
37. Vegetation clearing must be kept to the development footprint. Mitigation measures must be implemented to reduce the risk of erosion. Vegetation must be removed in a manner that allows the roots of bushes and shrubs to remain in the ground as far as possible so that there is a chance of re-growth.
38. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
39. A permit must be obtained from Department of Agriculture, Forestry and Fisheries for the rescue and relocation of provincially protected plants should they be removed or disturbed during the construction phase.
40. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities must be undertaken according to the rehabilitation plan indicated in the final EMPr.
41. ECO must conduct a routine monitoring of the site for any spillages and water pollution or contamination that can have potential impacts on flora and fauna.
42. Storm water management plan developed must be implemented, to ensure that storm water does not come into contact with potentially polluted water.
43. Signs must be placed along construction road to identify speed limits, travel restrictions, and other standard traffic control information as highlighted in the Traffic and Transportation management plan.
44. 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 must be made
45. 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 59 of 2008).

General

46. A copy of this authorisation and the EMPr must be kept at the property where the activity/ will be undertaken. The authorisation and the EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
47. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* and the *Director: Compliance Monitoring* at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
48. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority will not be held responsible for any damages or losses suffered by the applicant or his 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 applicant 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: 29/05/2018



Ms Millicent Solomons

Acting Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

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 information contained in the EIAr dated September 2017 and the addendum to the EIAr dated January 2018;
- b) The comments received from the organs of state and interested and affected parties as included in the EIAr dated September 2017;
- c) Mitigation measures as proposed in the EIAr dated September 2017, storm water management plan, traffic management plan, erosion management plan, alien invasive management plan, re-vegetation and rehabilitation management plan, open space management plan and the EMPr;
- d) The information contained in the specialist studies contained within Appendix E of the EIAr; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

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 recommended mitigation measures.
- b) The need of the project which is required in order to attain a higher security of energy supply in the area.
- c) The EIAr dated September 2017 identified all legislations and guidelines that have been considered in the preparation of the EIAr dated September 2017.
- d) The methodology used in assessing the potential impacts identified in the EIAr dated September 2017 and the specialist studies has been adequately indicated.
- e) The description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the activity.

- f) A sufficient public participation process was undertaken and the holder of the authorisation has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 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 is detailed in the EIAR dated September 2017 and sufficient assessment of the key identified issues and an impact has 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) The information contained in the EIAR dated September 2017 and the addendum to the EIAR dated January 2018 showed that detailed assessment was undertaken.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR 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 activity 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 negative environmental impacts resulting from the authorised activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag 2447 PRETORIA 0001 Environment House - 473 Steve Biko Road, Arcadia- PRETORIA
Tel: (+27 12) 389 8372

Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: labader@environment.gov.za

Mrs. Milcent Solomons
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 28 MAY 2018 UNTIL 1 JUNE 2018

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated environmental authorisations for the period 28 May 2018 until 1 June 2018 while Mr. Sabelo Malaza will be attending the Workshop for the whole week.

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 this 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


Mr. Ishaam Abader
EDG: LAGE

Date: 25/05/2018

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT appointment as Acting Chief Director: Integrated environmental authorisations

Signed: 

Date: 25/05/2018.