

To: Nicholas Chavalala
Cc: 'Munzhedzi Mudau'
Subject: FW: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Hi Nicholas

I received your contact details from Marius Alers following his discussion with you with regards to who is the competent authority for an Eskom project they are wanting to implement near Burgersfort. Please see the emails below for the DEA responses to my queries as well as the request for pre-application meeting I submitted to the DEA for your information.


Please could you let me know if DMR is in fact the competent authority for this project.

Regards
Giles

Giles Churchill
ACER (Africa) Environmental Consultants

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Mobile: +27 82 9079738
Fax: +27 35 340 2232
E-mail: giles.churchill@acerafrica.co.za



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From: IQ <IQ@environment.gov.za>
Sent: 23 April 2019 09:33 AM
To: Matlhodi Mogorosi <MMogorosi@environment.gov.za>; IQ <IQ@environment.gov.za>
Cc: giles.churchill@acerafrica.co.za; 'Munzhedzi Mudau' <MudauMu@eskom.co.za>; Amanda Van Reenen <avanreenen@environment.gov.za>
Subject: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Dear Mathlodi

The IQ Helpdesk had discussions with the CD: Law Reform and Appeals on a number of issues, including this matter and were advised that where the situation at the time of the application is such that the substation will be established for the sole and exclusive use of the mine, the DMR would indeed be the competent authority.

Kind regards
Chantal

From: Matlhodi Mogorosi
Sent: Tuesday, April 16, 2019 9:53 AM
To: IQ
Cc: giles.churchill@acerafrica.co.za; 'Munzhedzi Mudau'
Subject: Request for clarification of Competent Authority between DEA and DMR

Giles

Giles Churchill

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From: Nicholas Chavalala <Nicholas.Chavalala@dmr.gov.za>

Sent: 24 April 2019 09:55 AM

To: Giles Churchill <giles.churchill@acerafrica.co.za>

Subject: RE: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Morning,

Where will this substation be constructed?

The best way to determine competent authority is to answer this question.

NB: the question to ask is whether this development is in a MINING AREA, not who will be supplied the electricity.

Regards,

Nicholas Chavalala

Mineral Regulation

Tel : 015 287 4753

Email : Nicholas.Chavalala@dmr.gov.za

Website : www.dmr.gov.za



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

From: Giles Churchill [<mailto:giles.churchill@acerafrica.co.za>]

Sent: Tuesday, 23 April 2019 15:57

Good day,

The above-mentioned subject matter has reference,

A request for a pre-application meeting request was received by the Department on 01 April 2019. In the meeting request the following project description was provided:

“The proposed project involves the construction of a substation and supply of electricity to Lwala Mine, west of the settlement of Ga-Kgoele, near Burgersfort in the Limpopo Province with the following components:

- *2 x 2km new WOLF line for a loop-in-loop-out to the Steelpoort-Twickenham 132kV line;*
- *Construct a new substation called LWALA;*
- *2 x 132kV feeder bays (equip both feeder bays);*
- *2 x 40MVA 132/33kV transformers 2 x 33kV feeder bays”.*

From the information provided, the proposed electricity infrastructure will be to supply electricity purely to the Lwala Mine (Current application), with other end-users only being added on at a later stage.

As such; clarity is needed from IQ on whether the Department of Environmental Affairs is the relevant Competent Authority to consider this matter or should the request be submitted to the Department of Mineral Resources for consideration.

Kind regards

Matlhodi Mogorosi
Department of Environmental Affairs
Directorate: Integrated Environmental Authorisations: Public Sector
Environment House
473 Steve Biko Rd
ARCADIA
PRETORIA
0001
Tel: (012) 399-9388

From: Giles Churchill [mailto:giles.churchill@acerafrica.co.za]

Sent: 15 April 2019 01:49 PM

To: Matlhodi Mogorosi

Cc: 'Munzhedzi Mudau'

Subject: RE: Pre-application meeting: Construction of a substation and supply of electricity to Lwala Mine

Hi Matlhodi

Thankyou for your email however I would just like to clarify the following:

1. The proposed substation and loop in and loop out lines will be constructed to supply Lwala Mine at the moment but the sub station will become a regional substation which will feed electricity to the surrounding communities as and when electrification in the area is rolled out. As such, there will be other end users in time.


I do not understand why DMR will be the competent authority for this application given that the substation will in time service a number of end users.

Regards
Giles

Giles Churchill
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From: Matlhodi Mogorosi <MMogorosi@environment.gov.za>
Sent: 15 April 2019 01:09 PM
To: giles.churchill@acerafrica.co.za
Subject: Pre-application meeting: Construction of a substation and supply of electricity to Lwala Mine

Dear Giles,

The above-mentioned pre-application meeting bear reference.

Apologies for only coming back to you now.

From the information provided in the meeting request, the electricity infrastructure is proposed to be constructed for the supply of electricity to the Lwala Mine. It is not clear if there will be other end-users other than the mine. Please note that should the infrastructure be solely for the supply of the mine, the Department of Mineral Resources is the Competent Authority to liaise with.

As such, please clarify if the project is to supply the mine only with electricity or if there are other end-users that will be supplied with electricity.

Kind regards

Matlhodi Mogorosi
Department of Environmental Affairs
Directorate: Integrated Environmental Authorisations: Public Sector

**Environment House
473 Steve Biko Rd
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Tel: (012) 399-9388**

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Giles Churchill

From: Giles Churchill <giles.churchill@acerafrica.co.za>
Sent: Thursday, 01 August 2019 13:46
To: 'Thivhulawi.Kolani@dmr.gov.za'
Subject: Submitting environmental reports to the DMR

Hi Kolani

Please could you assist me with the following in terms of what I need to submit to the DMR to get approval for the Lwala Mine Substation which Eskom is planning to construct.

To date we have undertaken the following:

- Completed the DMR template for the Basic Assessment Report and Environmental Programme Report (this included specialist investigations Public Participation and meetings with land owners and surrounding communities)

We are now at a stage where we want to send the report to the DMR, public and commenting authorities for review.

My questions are as follows:

- Lwala Mine has an approved EMPr (T.C Ref: LP 30/5/1/2/3/2/1 (38) EM) do I use this reference number for the report we have compiled or does the DMR issue us with a new reference number for this application?
- As Eskom is a parastatal are any application fees payable as, in terms of NEMA, they are exempt from having to pay application fees?
- Do we need to submit an application for environmental authorisation for this project?

Your assistance would be greatly appreciated.

Regards
Giles

Giles Churchill
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Giles Churchill

From: Giles Churchill <giles.churchill@acerafrica.co.za>
Sent: Thursday, 01 August 2019 08:05
To: 'Thivhulawi.Kolani@dmr.gov.za'
Subject: Lwala Mine - Substation

Importance: High

Hi Kolani

Please could you assist me with the following queries with regards to the Basic Assessment Template which I am completing for the proposed Eskom substation to be constructed at Lwala Mine.

In terms of the DMR template it requires the following:

APPENDIX 6 SIP CONFIRMATION LETTER

I have spoken to Karoon Moody in KZN DMR office and he has never heard of this requirement and suggested I check with you what is required here. As a electrification project the project does fit in with the SIP plans and once the mine is closed the substation will remain for distribution of power to surrounding communities. Must I just draft a letter as the consultant outlining which SIP plan this project falls under?

APPENDIX 8 AUTHORITY CONSULTANT

I am not to sure what Authority Consultant refers to. Please could you advise.

Your help would be greatly appreciated.


Regards
Giles

Giles Churchill

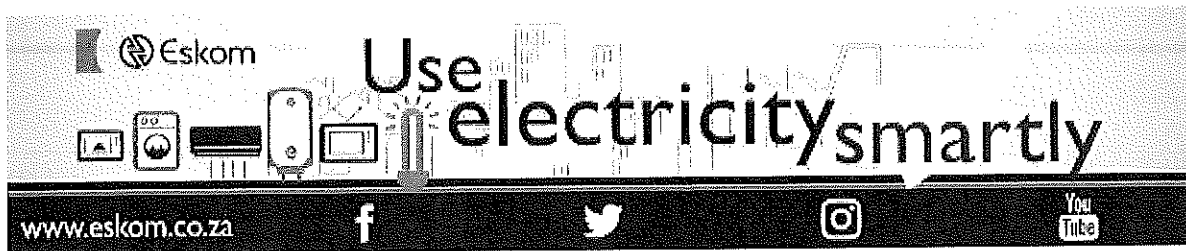
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From: Giles Churchill [<mailto:giles.churchill@acerafrica.co.za>]
Sent: 31 July 2019 03:24 PM
To: 'Munzhedzi Mudau'; Munzhedzi Mudau
Subject: FW: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Hi Munzhedzi


Following from the emails below do you have anything in writing from DMR following your meeting so that I can include it in the Comment and response report of the DBAR. I am hoping to have everything through to you by Friday for Eskom's review.

Regards
Giles

Giles Churchill
ACER (Africa) Environmental Consultants

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From: Munzhedzi Mudau <MudauMu@eskom.co.za>
Sent: 29 April 2019 10:03 AM
To: Giles Churchill <giles.churchill@acerafrica.co.za>
Subject: RE: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Noted.

I will meet with DMR at 10h30 today so I will have feedback for you by lunch time.

Kind Regards
Munzhedzi

From: Giles Churchill [<mailto:giles.churchill@acerafrica.co.za>]
Sent: 29 April 2019 09:52 AM

Giles Churchill

From: Munzhedzi Mudau <MudauMu@eskom.co.za>
Sent: Wednesday, 31 July 2019 15:37
To: Giles Churchill
Subject: RE: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Yes, we met Kolani.

Kind Regards
Munzhedzi

From: Giles Churchill [mailto:giles.churchill@acerafrica.co.za]
Sent: 31 July 2019 03:34 PM
To: Munzhedzi Mudau
Subject: RE: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios


Hi, thanks for that. Who did you meet with at DMR Kolani?

Giles Churchill

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From: Munzhedzi Mudau <MudauMu@eskom.co.za>
Sent: 31 July 2019 03:27 PM
To: Giles Churchill <giles.churchill@acerafrica.co.za>
Subject: RE: IQ/19/0070: Competent Authority between DEA and DMR: Current vs future scenarios

Hi Giles

No, there is nothing that you can include. The meeting only confirmed that they're the competent authority for any mining-related activities.

Kind Regards
Munzhedzi