



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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NEAS Reference: DEAT/EIA/12198/2011

DEA Reference: 12/12/20/1868

Enquiries: Gabisile Hlongwane

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Ms Mmamoloko Seabe
Eskom Holdings SOC Ltd
P.O. Box 1091
SUNNINGHILL
2157

Fax no: (011) 800 3917

PER FACSIMILE / MAIL

Dear Ms Seabe

ACCEPTANCE OF THE FINAL ENVIRONMENTAL REPORT (FEIR) AND ENVIRONMENTAL AUTHORISATION FOR THE CONSTRUCTION OF THE 400kV SINGLE CIRCUIT TRANSMISSION POWER LINE FROM THE EXISTING PHILIPPI SUB-STATION TO THE PROPOSED MITCHELL'S PLAIN SUB-STATION AND THE UPGRADE OF THE PHILIPPI SUB-STATION: MITCHELLS PLAIN, WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to accept the Final Environmental Impact Report (FEIR) dated October 2011 and 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 facsimile: 012 320 7561;
- By post: Private Bag X447,
Pretoria, 0001; or
- By hand: 2nd Floor, Fedsure Building, North Tower,
cnr. Van der Walt and Pretorius Streets,
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: Acting 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:

Mr T Zwane, Senior Legal Administration Officer (Appeals) of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: AppealsDirectorate@environment.gov.za

The authorised activity/ies shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



Mark Gordon
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 29 October 2012

CC:	Mr Peter Teurlings	BKS (Pty) Ltd	Tel: 012 421 3500	Fax: 012 421 3601
	Mr Zaahir Toefy	DEADP	Tel: 021 483 5826	Fax: 021 483 4372
	Mr Azanne van Wyk	CoCT Metropolitan Municipality	Tel: 021 850 4094	Fax: 021 740 4004
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

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 Water and 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 Water and 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 against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
3. **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 37 of the Environmental Impact Assessment Regulations, 2006

Construction of the 400kV Single Circuit Transmission Power line from the existing Philippi Sub-station, in which the upgrade is also proposed to the newly proposed Mitchell's Plain Substation, Western Cape Province

City of Cape Town Metropolitan Municipality

Authorisation register number:	<i>12/12/20/1868</i>
NEAS reference number:	<i>DEA/EIA/12198/2011</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Eskom Holdings SOC Limited</i>
Location of activity:	<i>WESTERN CAPE PROVINCE: City of Cape Town Metropolitan Municipality</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 authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

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, 2006 the Department hereby authorises –

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

MS. Mmamoloko Seabe
Eskom Holdings SOC Limited
P.O. Box 1091
JOHANNESBURG
2000

Tel: (011) 800 2345
Fax: (011) 800 3917
Cell: (082) 801 3911
E-mail: SeabeJM@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity"):

Notice No.	Activity No.	Activity Description (as per the relevant Notice)
GN R. 386	12	The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within critically endangered or endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
GN R. 386	16(b)	The construction of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.
GN R. 386	7	The aboveground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres but less than 1000 cubic metres at any one location or site.
GN R. 386	1(m)	The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in ten year flood line of a river or stream, or within 32 m from the bank of a river stream where the flood line is unknown, excluding purposes associated with existing residential use, but including – <ul style="list-style-type: none"> (i) Canals; (ii) Channels; (iii) Bridges; (iv) Dams; and (v) Weirs
GN R. 386	20	The transformation of an area zoned for use as public open space or for conservation purposes to another use
GN R.387	1 (l)	The construction of facilities or infrastructure, including associated structures or infrastructure, for the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more.
GN R.387	2	Any development activity, including associated structures and infrastructure, where the total area of the development is, or is intended

		<i>to be, 20 hectares or more.</i>
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as described in the Final Environmental Impact Report (FEIR) dated October 2011, the pylon positions will be as follows:

Alignment	Pylon Number	Support C			Support D		
		Devices	Height	Weight	Devices	Height	Weight
PM-1a	PM-1-1	33	59	25.29	18	32	15.83
	PM-1-2	33	59	32.06	18	32	18.13
	PM-1-3	33	59	38.30	18	32	20.77
	PM-1-4B	33	59	47.85	18	32	24.80
	PM-1-5	33	59	55.76	18	32	34.47
	PM-1-6Bb	34	0	1.93	18	32	46.05
PM-1b	PM-1-7B	34	0	8.31	18	32	51.23
	PM-1-8	34	0	13.81	18	33	0.50
	PM-1-9	34	0	20.34	18	33	11.62
	PM-1-10a	34	0	24.62	18	33	18.84
	PM-1-10c	34	0	29.31	18	33	26.72
	PM-1-11	34	0	33.59	18	33	34.19
	PM-1-12Ba	34	0	36.17	18	33	38.24
	PM-1-13Ba	34	0	39.23	18	33	46.51
	PM-1-13Bb	34	0	42.48	18	33	49.77
	PM-1-14Ba	34	0	47.98	18	33	55.79
	PM-1-15	34	1	1.22	18	34	5.16
	PM-1-16	34	1	10.82	18	34	12.72
	PM-1-17	34	1	20.50	18	34	20.39
	PM-1-18B	34	1	28.08	18	34	24.71
	PM-1-18B	34	1	28.83	18	34	26.52
PM-1-18B	34	1	29.93	18	34	27.73	
PM-3a	PM-3-1	34	1	37.33	18	34	33.25
	PM-3-2	34	1	46.39	18	34	40.16
	PM-3-3B	34	1	55.83	18	34	47.34
PM-3b	PM-3-4	34	1	56.41	18	34	51.31
	PM-3-5	34	1	54.47	18	34	56.10
	PM-3-6	34	1	51.90	18	35	2.69
	PM-3-7	34	1	50.63	18	35	13.70
	PM-3-8	34	1	49.61	18	35	23.62
	PM-3-9	34	1	45.57	18	35	34.44
	PM-3-10B	34	1	41.25	18	35	45.97
	PM-3-11	34	1	36.75	18	35	50.45
	PM-3-12	34	1	32.19	18	35	48.30

Alignment	Pylon Number	Longitude (S)			Longitude (E)		
		Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
	PM-3-13	34	1	26.39	18	35	45.63
	PM-3-14B	34	1	20.00	18	35	42.58
PM-1a	PM-1-24B	34	1	15.17	18	35	42.89
	PM-1-25	34	1	13.26	18	35	54.26
	PM-1-26Bb	34	1	11.63	18	36	3.32
	PM-1-27Bb	34	1	47.00	18	36	8.00
	PM-1-28	34	1	2.38	18	36	9.76

- for the construction of a 400kV Single Circuit Transmission Power line from the existing Philippi Sub-station, in which the upgrade is also proposed to the newly proposed Mitchell's Plain Sub-station, City of Cape Town Metropolitan Municipality in the Western Cape Province, hereafter referred to as "the property".

The proposed development will include the following:

- i. Mono-pole pylon structures;
- ii. The operational pylon footprint is limited to 15m x 15m (225m²) and a maximum height of 40m;
- iii. The construction footprint is limited to 40m x 40m (1,600m²), and
- iv. The upgrade of the oil holding dam capacity of the existing Philippi Substation by the addition of a 500MVA oil holding dam.

Conditions

Scope of authorisation

1. The construction of a 400kV Single-Circuit Transmission Power line of 9.6km with a servitude width range of 40-55m from the existing Philippi Sub-station for which an upgrade is proposed, via PM-1a, PM-1b, PM-3a, PM-3b and PM-1d to the proposed Mitchell's Plain Sub-station 1 and the addition of the third transformer to step-up the existing Philippi Sub-station to 400kV/132kV as described in Environmental Impact Report dated October 2011 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