



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/1/1899

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAlberts@environment.gov.za

Ms Neo Masemola  
Eskom Holdings SOC Limited  
PO Box 8610  
JOHANNESBURG  
2000

Telephone Number: (011) 711 2824  
Email Address: MasemoAN@eskom.co.za

### **PER E-MAIL / MAIL**

Dear Ms Masemola

### **ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF THE LULAMISA - DIEPSLOOT EAST - BLUE HILLS - CROWTHORNE 88kV POWER LINE AND ASSOCIATED SUBSTATIONS NEAR MIDRAND IN GAUTENG PROVINCE**

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

In terms of Regulation 4(2) of the National Environmental Management Act: the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing within 14 (fourteen) days of the date of this EA, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the 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 stipulates 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 abuses or compromises your personal information in any way.

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 prescribe 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.

*M. J.*

**Appeals must be submitted in writing in the prescribed form to:**

Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

By hand: Environment House  
473 Steve Biko Street  
Arcadia  
Pretoria  
0083; or

By post: Private Bag X447  
Pretoria  
0001

Please note that in terms of Section 43(7) of the NEMA, 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 any activity authorised in the EA 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 [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
Date: *29/02/2018*

cc:	Boniswa Belot	GDARD	Email: <a href="mailto:boniswa.belot@gauteng.gov.za">boniswa.belot@gauteng.gov.za</a>
	Lebo Molefe	City of JHB Municipality	Email: <a href="mailto:lebornol@joburg.org.za">lebornol@joburg.org.za</a>
	Kemmonem Mofela	City of Tshwane Metropolitan Municipality	Email: <a href="mailto:kemmonem@tshwane.gov.za">kemmonem@tshwane.gov.za</a>
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## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014

The Lulamisa - Diepsloot East - Blue Hills - Crowthorne 88 kV power line and associated substations  
near Midrand in Gauteng Province

City of Johannesburg Metropolitan Municipality and City of Tshwane Metropolitan Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/1899</i>
<b>Last amended:</b>	<i>First Issue</i>
<b>Holder of authorisation:</b>	<i>Eskom Holdings SOC Limited</i>
<b>Location of activity:</b>	<i>Diepsloot 388; Diepsloot AH; Diepsloot West Ext. 2; Knopjeslaagte 385; Olievenhoutbosch 389; Blue Hills 397; Timsrand AH; Witpoort 406; Blue Hills AH; Crowthorne AH; Blue Hills Ext. 8; Blue Hills Ext. 9; City of Johannesburg Metropolitan Municipality; and City of Tshwane Metropolitan Municipality within GAUTENG 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.

*M.J*

## **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, 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 No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

### **ESKOM HOLDINGS SOC LIMITED**

with the following contact details –

Neo Masemola  
PO Box 8610  
**JOHANNESBURG**  
2000

Telephone Number: (011) 711 2824  
Cell phone Number: (079) 412 0171  
E-mail Address: MasemoAN@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 (GN R. 983 and 985):

Activity number	Activity description
<p><b>GN R 983: Activity 11</b></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity:</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts"</i></p>	<p>The facility will require the construction of a substation and an overhead distribution power line outside an urban area with a capacity of 88kV. In terms of sections 24(2) and 24D of the National Environmental Management Act (Act No. 107 of 1998), as read with the Environmental Impact Assessment (EIA) Regulations of GNR 982 to R985 (as amended).</p>
<p><b>GN R983: Activity 12</b></p> <p><i>"The development of –</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>(a) within a watercourse; or</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse"</i></p>	<p>The power line pylons of more than 100 m<sup>2</sup> will be located within 32m of a watercourse. A low level crossing or culvert which does not impede flow or natural functioning of the non-perennial watercourse will be constructed within the watercourse for access roads associated with the power line.</p>
<p><b>GN R. 983 Item 19</b></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than</i></p> <p><i>(i) 10 cubic metres from a watercourse"</i></p>	<p>The construction of access roads required for the construction and maintenance activities of the power line will require infilling or removal of 10m<sup>3</sup> or more of material into/from the watercourse for the placement of culverts.</p>
<p><b>GN R 983: Activity 27</b></p> <p><i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for</i></p> <p><i>(i) the undertaking of a linear activity"</i></p>	<p>The clearance of an area of 150x150 square meters (2,25ha) of indigenous vegetation is required for the proposed Diepsloot East and Blue Hill Substation.</p>

<p><b>GN R. 983 Item 28</b></p> <p><i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development</i></p> <p><i>(ii) Will occur outside an urban area, where the total land to be developed is bigger than 1 hectare”</i></p>	<p>The Diepsloot East substation will be developed outside an urban area where it is classified as –Agricultural SmallholdingsII, and the total land to be developed is 150x150 square meters (2,25ha).</p>
<p><b>GN R985: Activity 3</b></p> <p><i>“The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower-</i></p> <p><i>(a) is to be placed on a site not previously used for this purpose; and</i></p> <p><i>(b) will exceed 15 metres in height</i></p> <p><i>(c) In Gauteng:</i></p> <p><i>(iv) Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</i></p> <p><i>(v) Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</i></p> <p><i>(ix) Sites designated as nature reserves in terms of municipal Spatial Development Frameworks”</i></p>	<p>A mast will be erected at the substation(s) to be used for telecommunication purposes and these masts or towers could need to be placed on a site not previously used for this purpose; and these towers may exceed 15 metres in height. Some of the areas are located in Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans.</p>
<p><b>GN R985: Activity 12</b></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation</i></p> <p><i>(b) In Gauteng:</i></p> <p><i>i. 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;</i></p>	<p>The project is proposed within endangered ecosystem listed in terms of section 52 of the NEMBA and within Critical Biodiversity Areas /Ecological Support Areas identified in the Gauteng Conservation Plan.</p>

<p><i>ii. Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans"</i></p>	
<p><b>"GN R985: Activity 14</b>  <i>The development of:</i>  <i>(ii) Infrastructure or structures with a physical footprint of 10 square metres or more, where such development occurs—</i>  <i>(a) Within a watercourse;</i>  <i>(c) if no development setback exists within 32m of a watercourse measured from the edge of a watercourse.</i>  <i>(c) In Gauteng:</i>  <i>(iv) Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</i>  <i>(v) Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004)</i>  <i>(ix) Sites designated as nature reserves in terms of municipal Spatial Development Frameworks"</i></p>	<p>Power line pylons of more than 100 m<sup>2</sup> will be located within 32m of a watercourse on sites identified as Critical Biodiversity Areas (CBAs), Ecological Support Areas (ESAs) and within threatened ecosystems in terms of NEMBA.</p>

as described in the Basic Assessment Report (BAR) dated May 2018 at:

Overhead power line from the Lulamisa MTS to the proposed new Diepsloot East substation

Alternative S1	Latitude (S)	Longitude (E)
Start (Diepsloot East SS)	25°55'58.19"S	28° 1'53.57"E
Middle	25° 56' 46.073" S	28° 0' 57.304" E
End (Existing Lulamisa SS)	25° 57' 56.233" S	28° 0' 41.299" E

Diepsloot East substation

Alternative S1	Latitude (S)	Longitude (E)
Start (Diepsloot East SS)	25°55'58.19"S	28° 1'53.57"E

Overhead power line from the proposed Diepsloot East substation to the proposed Bluehills substation

Alternative S1	Latitude (S)	Longitude (E)
Start (Blue Hill SS)	25° 55' 57.62"S	28° 05'16.06"E
Middle	25° 55' 30.189" S	28° 3' 36.941" E
End (Diepsloot East SS)	25°55'58.19"S	28° 1'53.57"E

Bluehill East substation

Alternative S1	Latitude (S)	Longitude (E)
Start (Diepsloot East SS)	25° 55' 57.62"S	28° 05'16.06"E

Underground power line (cable) from the proposed Blue Hills substation to the existing Crowthorne substation.

Alternative S1	Latitude (S)	Longitude (E)
Start (Crowthorne SS)	25° 57' 57.96"S	28° 04'58.01"E
Middle	25° 56' 52.029" S	28° 4' 51.411" E
End (Blue Hill East SS)	25° 55' 57.62"S	28° 05'16.06"E

- for the proposed construction of the Lulamisa - Diepsloot East - Blue Hills - Crowthorne 88 kV power line and associated substations near Midrand in Gauteng Province, hereafter referred to as "the property".

The key infrastructure includes:

- 88kV overhead power line approximately 5km in length from the existing Lulamisa MTS to the proposed Diepsloot East substation, with one circuit to be terminated onto a new 88kV bay at Lulamisa MTS;
- Diepsloot East substation with a footprint of approximately 100m x 100m;
- 88kV overhead power line approximately 8km in length and built to 132kV specification from the proposed Diepsloot East Substation to the proposed Blue Hills Substation;
- Blue Hills Substation with a footprint of approximately 100m x 100m; and
- 88kV underground power line approximately 5km in length from the proposed Blue Hills substation to the existing Crowthorne substation.



## **Conditions of this Environmental Authorisation**

### **Scope of authorisation**

1. The proposed construction of the Lulamisa - Diepsloot East - Blue Hills - Crowthorne 88 kV power line and associated substations near Midrand in Gauteng Province as described above is hereby approved.
2. Authorisation of the activity is further 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 five (05) 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. Commencement with one activity listed in terms of this environmental 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 14 (fourteen) 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 the National Appeal Regulations, 2014;
  - 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.

### **Commencement of the activity**

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014. 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.

### **Management of the activity**

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to.

### **Frequency and process of updating the EMPr**

13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 21 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.
14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.

15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.
16. 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 GN R.982. 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.
17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

## **Monitoring**

18. The holder of the authorisation must appoint an experienced 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 environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 18.1. The ECO must be appointed before commencement of any authorised activities.
  - 18.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
  - 18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 18.4. 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**

19. 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 at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).

20. 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 at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
21. 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 GN R. 982.
22. The holder of the authorisation must, in addition, submit an 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.
23. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 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.
24. 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**

25. 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**

26. 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**

27. 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**

28. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g. grasslands, rivers, wetlands, and dams). The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
29. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitment of anti-collision devices. These devices must be according to Eskom's Transmission and Endangered Wildlife Trust's (EWT) Guidelines.
30. All pylons to be constructed should make use of "bird friendly" structures, fitted with a bird perch, as per Eskom's Transmission and Endangered Wildlife Trust's (EWT) Guidelines.
31. Copies of all permits required for the construction of the proposed infrastructure must be kept on site by the ECO for record keeping purposes and make it available to the Department upon request.
32. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
33. Areas outside of the footprint, including sensitive areas and buffer areas, must be clearly demarcated (using fencing and appropriate signage) before construction commences and must be regarded as "no-go" areas.
34. Contractors and construction workers must be clearly informed of the no-go areas.
35. Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
36. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
37. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the EMPr.
38. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.

39. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
40. All construction vehicles must remain on properly demarcated roads. No construction vehicles must be allowed to drive over the vegetation except where no cleared roads are available. In such cases a single track should be used and multiple paths should not be formed. Where temporary access roads are created, they should be rehabilitated as outlined in the rehabilitation plan after completion of construction.
41. Excavations must be inspected regularly in order to rescue trapped animals.
42. Any fauna directly threatened by the construction activities must be removed to a safe location by a suitably qualified person.
43. 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.
44. The recommendations of the EAP in the BAR dated May 2018 and mitigation measures proposed by the specialist studies submitted in support of the BAR dated May 2018 must be adhered to.
45. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
46. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

## **General**

47. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 47.1. at the site of the authorised activity;
  - 47.2. to anyone on request; and
  - 47.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
48. 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: 29/08/2018



Mr Sabelo Malaza

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 application form submitted on 15 March 2018.
- b) The information contained in the BAR dated May 2018.
- c) The comments received in the BAR dated May 2018 included, *inter alia*: Department of Environmental Affairs – Biodiversity Conservation, Gauteng Department of Agriculture and Rural Development and City of Tshwane Environmental Planning & Open Space Management Section.
- d) Mitigation measures as proposed in the BAR dated May 2018 and the EMPr dated May 2018.
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- f) The information contained in the specialist studies submitted as part of the BAR dated May 2018 included, *inter alia*:

Title	Prepared by	Date
Vegetation Assessment	Dimela Eco Consulting	Updated January 2018
Faunal Assessment Report	K Squared Environmental Consulting	Updated January 2018
Wetland Delineation and Functional Assessment	Limosella Consulting Pty Ltd	June 2017
Cultural Heritage Impact Assessment	J A van Schalkwyk	February 2017
Geotechnical Desk Study	M. J. van der Walt Engineering Geologist CC	February 2018
Visual Impact Assessment	I-Dot Design Studio CC trading as i-scape	January 2018
Social Impact Assessment	Batho Earth	February 2018

### 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 is in response to electricity challenges in the area, and to increase its capacity to meet the growing demand in the Diepsloot/ Midrand area.
- c) 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.
- e) The BAR dated May 2018 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- f) The methodology used in assessing the potential impacts identified in the BAR dated May 2018 and the specialist studies have been adequately indicated.
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 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 May 2018 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated May 2018 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR dated May 2018 and will be implemented to manage the identified environmental impacts during the construction process.

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.