



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

NEAS Reference: DEA/EIA/0001828/2013

DEA Reference: 14/12/16/3/3/2/401

Enquiries: Ndivhudza Sebei

Telephone: 012-399-9408 **E-mail:** Nsebei@environment.gov.za

Ms Martina Nailana
Eskom Holdings SOC Limited
P.O. Box 1091
JOHANNESBURG
2000

Tel no: (011) 800 3550
Email: Martina.Nailana@eskom.co.za

PER FACSIMILE / MAIL

Dear Ms Nailana

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543, 544, 545 AND 546: THE CONSTRUCTION OF THE 400/132KV ASTERIA ESKOM MAIN TRANSMISSION SUBSTATION (PREVIOUSLY KNOWN AS THE HOUHOEK MAIN TRANSMISSION SUBSTATION), INCLUDING THE BACCHUS-PALMIET LOOP-IN AND LOOP-OUT POWER LINES AND ESKOM DISTRIBUTION POWER LINE INTEGRATION, WESTERN CAPE 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 X447,
Pretoria, 0001; or

By hand: 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:

Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012-399-9356

Email: AppealsDirectorate@environment.gov.za

The authorised activities must 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



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 6/3/2015

CC:	Mr P Teurlings	BKS (Pty) Ltd	Tel: 012 421 3500	E-mail: petert@bks.co.za
	Mr T Barnes	Western Cape (DEADP)	Tel: 021 483 4094	E-mail: Anthony.Barnes@westerncape.gov.za
	Mr C van Heerden	Theewatersloof Municipality	Local Tel: 028 214 1289	E-mail: Conradvh@twk.org.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

Construction of the 400/132kV Asteria Eskom Main Transmission Substation (previously known as the Houhoek Main Transmission Substation), including the Baccus-Palmiet loop-in and loop-out power lines and Eskom Distribution power line integration within the Theewaterskloof Local Municipality, Western Cape Province

Overberg District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/401</i>
NEAS reference number:	<i>DEA/EIA/0001828/2013</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Eskom Holdings SOC Limited</i>
Location of activity:	<i>WESTERN CAPE PROVINCE: Within Theewaterskloof Local 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 activity/ies 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, 2010 the Department hereby authorises –

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

Ms Martina Nailana
Eskom SOC Limited
P.O. Box 1091
JOHANNESBURG
2000

Tel: (011) 800 3550
Fax: (011) 801 3917
Cell: 082 468 2137
E-mail: Martina.Nailana@eskom.co.za

to undertake the following activity/ies (hereafter referred to as “the activity”) indicated in Listing Notices 1, 2 and 3 (GN R. 544, 545 & 546):

Listed activities	Activity/Project description
<p><u>GN R. 544: Item 10:</u> The construction of facilities or infrastructure for the transmission and distribution of electricity: (xi) outside urban areas or industrial complexes with a capacity of more than 33kV but less than 275kV.</p>	<p>The Asteria Eskom MTS project entails the construction of a 400/132kV Substation, including 400kV transmission and 132kV distribution power lines and associated infrastructure, outside of an urban area / industrial complex.</p>
<p><u>GN R. 544 Item 11:</u> The construction of: (xi) infrastructure or structures covering 50m² or more, where such construction occurs within a watercourse or within 32m of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind a development setback line.</p>	<p>The Asteria Eskom MTS project entails the construction of a 400/132kV Substation, including 400kV Transmission and 132kV Distribution power lines and associated infrastructure. The associated power lines or access roads, that link to the substation, may cross drainage lines and non-perennial watercourses.</p>
<p><u>GN R. 544 Item 18:</u> The infilling or depositing of any material of more than 5m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from: (i) a watercourse.</p>	<p>The Asteria Eskom MTS project could entail the construction of access roads for use during the construction phase and operational phase (for maintenance purposes) which cross over drainage lines and non-perennial watercourses occurring in the area. The installation of pylons associated with the LILO Transmission power lines may also impact on any crossed drainage lines and non-perennial watercourses encountered in the study area.</p>
<p><u>GN R. 544 Item 22:</u> The construction of a road, outside urban areas, (i) with a reserve wider than 13,5 metres. (ii) where no reserve exists where the road is wider than 8m.</p>	<p>The proposed Asteria Eskom MTS project would entail the construction of access roads to link the R43 to the proposed Asteria Eskom MTS. Existing access roads and single-lane maintenance tracks will be used during the operational phase (for maintenance purposes).</p>
<p><u>GN R. 544 Item 24:</u> The transformation of land bigger than 1,000m² in</p>	<p>One of the proposed alternatives being considered falls within the existing Houhoek Nature Reserve, which is by definition “conservation” in nature. The Asteria</p>

Listed activities	Activity/Project description
<p>size, to residential, retail, commercial, industrial or institutional use, where, at the time of the coming into effect of this Schedule such land was zoned open space, conservation or had an equivalent zoning.</p>	<p>Eskom MTS will be approximately 12 ha, which is significantly larger than 1 000 m² (i.e. 0.1 ha). The land use proposed for the Transmission Substation is institutional. The combined servitude of the LILO lines would also exceed 1 000 m².</p>
<p><u>GN R. 544 Item 26:</u> Any process or activity identified in terms of Section 53(1) of the National Environmental Management: Biodiversity Act (No. 10 of 2004).</p>	<p>The proposed Transmission and Distribution power lines fall within areas of importance in terms of NEM:BA. The position of the Transmission Substation itself will also be influenced by the biodiversity status.</p>
<p><u>GN R. 544 Item 38:</u> The expansion of facilities for the transmission and distribution of electricity where the expanded capacity will exceed 275 kilovolts and the development footprint will increase.</p>	<p>The Asteria Eskom MTS project will link a 132kV Distribution power line from the proposed 400kV Transmission Substation to the existing 132kV Distribution Substation. The Asteria Eskom MTS project will entail the expansion of the existing Eskom servitudes, which will increase the development footprint.</p>
<p><u>GN R. 544 Item 47:</u> The widening of a road by more than 6m, or the lengthening of a road by more than 1km— (i) where the existing reserve is wider than 13.5m; or (ii) where no reserve exists, where the existing road is wider than 8m.</p>	<p>The Asteria Eskom MTS project will entail the expansion of existing roads to use as access roads for use during the construction phase and operational phase (i.e. for maintenance purposes).</p>
<p><u>GN R. 545 Item 3:</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 more than 500 m³.</p>	<p>The proposed project will have an oil holding dam during the commissioning of the Asteria Eskom MTS. The oil holding dam will store Transformer oil (dangerous good) up to 8 000 m³ with a holding capacity up to 12 000 m³. Therefore, the combined capacity of the storage of the dangerous good exceeds 500 m³.</p>
<p><u>GN R. 545 Item 8:</u> 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 Asteria Eskom MTS project entails the construction of infrastructure for the transmission of electricity with a capacity of 400kV, outside an urban area.</p>

Listed activities	Activity/Project description
<p><u>GN R. 546 Item 4</u> The construction of a road wider than 4m with a reserve less than 13,5m (d) In Western Cape Province: (ii) All areas outside urban areas.</p>	<p>The proposed project entails the construction of access roads for use during the construction phase and operational phase (for maintenance purposes) outside of an urban area.</p>
<p><u>GN R. 546 Item 12</u> The clearance of an area of 300m² or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation: (a) Within any critically endangered or endangered ecosystem listed in terms of Section 52 of the NEM:BA 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). (b) Within critical biodiversity areas identified in bioregional plans.</p>	<p>Clearance land of vegetation for the proposed power lines and substation areas will be required. 12 hectares would require clearing of vegetation for the Asteria Eskom MTS. Vegetation clearance of 300 m² may also be required around each Transmission pylon structure.</p>
<p><u>GN R. 546 Item 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 (2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN R No. 544 of 2010. (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority. (c) In Western Cape (cc) Sensitive areas as identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority. (ee) Areas within 10km from national parks or world heritage sites or 5km from any other protected area</p>	<p>Clearance land of vegetation for the proposed power lines and substation areas will be required. 12 hectares would require clearing of vegetation for the Asteria Eskom MTS. The LILO Transmission power lines are proposed within 5 km from the Houhoek Nature Reserve.</p>

Listed activities	Activity/Project description
<p>identified in terms of NEM:PAA or from the core area of a biosphere reserve.</p>	
<p><u>GN R. 546: Item 14:</u> The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation: (a) In the Western Cape: (i) All areas outside urban areas.</p>	<p>Clearance land of vegetation for the proposed power lines and Asteria Eskom MTS areas will be required. 12 hectares would require clearing of vegetation for the proposed Asteria Eskom MTS, which is located outside the urban edge of Botrivier.</p>
<p><u>GN R. 546 Item 16:</u> The construction of: (iv) infrastructure or structures covering 10m² or more, where such construction occurs within a watercourse or within 32m of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind a development setback line (d) in Western Cape (ii) Outside urban areas, in: (dd) Sensitive areas as identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority. (ff) Critical biodiversity areas or ecosystems service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans. (hh) Areas within 10km from national parks or world heritage sites or 5km from any other protected area identified in terms of NEM:PAA or from the core areas of a biosphere reserve.</p>	<p>The proposed Asteria Eskom MTS and LILO pylons will be located outside of the unnamed watercourse and its 50 m buffer area.</p>
<p><u>GN R. 546 Item 19:</u> The widening of a road by more than 4m, or the lengthening of a road by more than 1km (d) In Western Cape (ii) All areas outside urban areas.</p>	<p>The proposed project entails the construction of access roads for use during the construction phase and operational phase (for maintenance purposes) outside of an urban area.</p>

as described in the Final Assessment Report (EIR) dated November 2014 at:

Substation (Alternative 1:Layout 1)	Latitude	Longitude
Centerpoint of activity	34 14' 23.70" S	19 10' 53.03" E

LILO 3	Latitude	Longitude
Starting point of activity (Pylon 1)	34 13' 35.83" S	19 10' 28.25" E
Middle point of activity (Pylon 4)	34 13' 44.78" S	19 10' 52.39" E
End point of activity (TM2) (Pylon 6)	34 14' 19.67" S	19 10' 55.24" E

- for the construction of 400/132kV Asteria Eskom Main Transmission Substation (previously known as the Houhoek Main Transmission Substation), including the Baccus-Palmiet loop-in and loop-out power lines and Eskom Distribution power line integration within the Theewaterskloof Local Municipality, Western Cape Province, hereafter referred to as "the property".

Infrastructure associated with the proposed development will include:

- A 2x500MVA Transformers, 400/132kV MTS of 14.44 hectares in area that integrates with the existing 132kV Houhoek Eskom Distribution Substation.
- LILO power lines that connect the existing Bacchus-Palmiet 400kV Transmission power line to the proposed Asteria Eskom MTS. This would entail two adjoining 400kV Transmission power lines. The distance of these power lines is approximately 2km in length. Temporary by-pass wooden poles will be placed within the existing servitude of the Bacchus-Palmiet 400kV Transmission power line to maintain the live connection. Five to six temporary bypass pylons would be placed over approximately 400m between Pylon 2 and Pylon 8.
- A 132kV Distribution power line that connects the proposed Asteria Eskom MTS to the existing Houhoek Eskom Distribution Substation. The distance of the Distribution power line is estimated between 250m to 300m in length.
- The construction of the LILO 400kV Transmission power lines could require the construction of related access roads, where there are no existing access roads.
- An access road would need to be constructed to link the proposed Asteria Eskom MTS to the provincial R43 road.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred Site Alternative 1; Layout 1; Corridor LILO 3 for the construction of 400/132kV Asteria Eskom Main Transmission Substation (previously known as the Houhoek Main Transmission Substation), including the Baccus-Palmiet loop-in and loop-out power lines and Eskom Distribution power line integration within the Theewaterskloof Local Municipality, Western Cape Province and the servitude of 110m (55 m on either side of the centre line) with the above mentioned co-ordinates are 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. 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.
 7. If the proponent anticipates that commencement of the activities would not occur within five (5) year period, he/she must apply and show good cause for an extension of the Environmental Authorization three (3) months prior to its expiry date.
 8. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
 9. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.
-

Notification of authorisation and right to appeal

10. 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.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the competent authority for the decision.
12. The holder of the authorisation must publish a notice –
 - 12.1. informing interested and affected parties of the decision;
 - 12.2. informing interested and affected parties where the decision can be accessed; and
 - 12.3. 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

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

Monitoring

14. The applicant must appoint a suitably 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
 - 14.1. The ECO must be appointed before commencement of any authorised activity/ies.
 - 14.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
-

- 14.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 14.4. 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

15. 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.
16. 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.
17. 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.
18. 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

19. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
20. 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/ies until such time that the appeal has been finalised.

Notification to authorities

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall 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

24. A final walk down by the faunal, floral, heritage and avifaunal specialists must be undertaken, and be used to inform the final tower locations prior to commencement of construction. The presence or absence of species of conservation importance needs to be confirmed by a botanist and identified protected species must be GPS'd prior to the commencement of construction activities. Permits must be obtained from the relevant provincial department and DAFF for the destruction and removal of such protected species. Should the findings of the walk down reveal that the area for the location of the towers is environmentally sensitive, an amended layout must be submitted to the Department for approval.
 25. A suitably qualified person must be appointed to search and rescue species of special concern. All translocated plant specimens (primarily bulbs and succulents, but also certain small shrubs) as well as all movable and low mobility fauna must be translocated from the development footprint to suitable adjacent areas that will not be developed. Specimens have to be bagged and kept up in a nursery for transplanting after construction.
 26. All woody alien invasive vegetation must be properly cleared from within the 100m of the MTS, within one year of the project commencement. This must be undertaken by suitably qualified contractors, using DAFF approved methodology. This should be repeated annually for 5 years after project completion in order to allow for the removal of regrowth and germination of seed banks.
-

27. Prior to development the approved development footprint for the Main Transmission Station (MTS) must be surveyed and clearly fenced off, so that the contractor knows exactly the area that is involved and does not disturb the adjacent areas of natural vegetation.
 28. Access roads or tracks for the new power line construction must be minimized, and where possible existing tracks must be used. Access roads must be aligned within existing roads where possible and new roads need to be constructed in such a way that it has minimal impact and does not cause erosion.
 29. Designated construction roads must be marked clearly, no construction vehicles must use the designated routes. Where possible, the use of existing roads is encouraged.
 30. Construction of the power line must be undertaken during the dry season (November to April) in order to minimize soil erosion and damage seasonal plants.
 31. Anti-collision devices such as bird flappers must be installed where power line crosses avifaunal corridors, as recommended by the avifaunal specialist. 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.
 32. Eskom must ensure that all waste control and the location of fuel storage areas, hazardous materials (oils, chemicals, and cement), waste storage areas, ablution and latrines and any other potentially polluting activities are in bunded areas and are 100m away from wetlands, river or stream to avoid any pollution.
 33. The potential fire hazards must be managed by ensuring that no unsupervised fire is permitted on site in order to avoid damage to the neighbouring farms.
 34. The collection, hunting or harvesting of any plants or animals on site must be strictly forbidden.
 35. Appropriate storm water routing and attenuation must be implemented to avoid onsite erosion and downstream sedimentation. Appropriate and effective storm water management plans, especially for the access tracks beneath or associated with the power lines must be included in the final designs.
 36. An erosion management plan for monitoring and rehabilitating erosion events associated with the footprint area must be developed. Appropriate erosion mitigation must form part of this plan to prevent and reduce risk of any potential erosion. The plan must clearly indicate how soil erosion will be prevented and must be submitted together with final layout for approval by this Department prior construction.
 37. The applicant must obtain a Water Use Licence Authorisation (WULA) from the Department of Water and Sanitation prior to the commencement of the project should the applicant impact on any
-

wetland or water resource. A copy of the WULA must be submitted to the *Director: Integrated Environmental Authorisations* of this Department for record keeping.

38. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall 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

39. A copy of this authorisation and the approved EMPr must be kept at the property where the activity/ will be undertaken. The authorisation and approved 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.
40. 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.
41. 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 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: 4/3/2015


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 EIR dated November 2014;
- b) The comments received from the organs of state and interested and affected parties as included in the EIR dated November 2014;
- c) Mitigation measures as proposed in the EIR dated November 2014 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix E of the EIR; and
- 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).

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 to resolve the present and future network constraints.
- c) The EIR dated November 2014 identified all legislation and guidelines that have been considered in the preparation of the EIR dated November 2014.
- d) The methodology used in assessing the potential impacts identified in the EIR dated November 2014 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant 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 are detailed in the EIR dated November 2014 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) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIR 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 proposed 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 detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

