



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/1749

Enquiries: Thando Booï

Telephone: (012) 399 9387 **E-mail:** TBooi@environment.gov.za

Emelda Malima
Eskom Holdings SOC Ltd
Menlyn Building 4 level 0
01 Gobie Street
Newlands
PRETORIA
0049

Tel: (012) 484 5109
E-mail: malimae@eskom.co.za

PER E-MAIL/ MAIL

Dear Sir/Madam

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982 AND 983 FOR PROPOSED EXPANSION OF THE EXISTING WESGLASS SUBSTATION AND ASSOCIATED POWER LINE UPGRADE, CITY OF TSHWANE, GAUTENG PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation, however activities 11(i), 12(xi), and 19(i), of GN R 983 and 14 (x) (xii) (a) (b) (iv) of GN R 985 are not authorised as they are not triggered by this project. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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.

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

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

MS

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

By post: Private Bag X 447,
Pretoria,
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, 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 the activity 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 or request a copy of the documents at appealsdirector@environment.gov.za.

Yours faithfully


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

Date: 02/10/2012

cc:	Thabang Sekele	Envirovolution Consulting (Pty) Ltd	Tel: (086) 144 4499	Email: thabang@envirovolution.co.za
	Ms Teboho Leku	GDARD	Tel: (011) 240 3421	Email: teboho.leku@gauteng.gov.za
	Tshinyadzo Mphephu	City of Tshwane Metropolitan Municipality	Tel: (012) 358 8667	Email: tshinyadzom@tshwane.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

Proposed expansion of the existing Wesglass Substation and associated power line upgrade,
City of Tshwane Metropolitan Municipality, Gauteng Province

Authorisation register number:	14/12/16/3/3/1/1749
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>ESKOM SOC Ltd</i>
Location of activity:	<i>Gauteng Province: Within Ward 30 of City of Tshwane Metropolitan Municipality</i>

This environmental 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 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 –

Emelda Malima
Eskom Holdings SOC Ltd
Menlyn Building 4 level 0
01 Gobie Street
Newlands
PRETORIA
0049

Tel: (012) 484 5109
Cell: 082 625 5641
E-mail: malimae@eskom.co.za

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

Listed activities	Activity/Project description
<p><u>GNR 983 Listing 1 Activity 11 (i)</u> The development of facilities or infrastructure for the transmission and distribution of electricity – (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>The proposed development will be constructed outside the urban area and will transmit electricity of up to 132 kilovolts.</p>
<p><u>GNR 983 Listing 1 Activity 12 (xi)</u> The development of (xii) infrastructure or structures covering 50 square metres or more Where such construction occurs within a watercourse or within 32 metres of a watercourse.</p>	<p>Alternative 2 & 3 pylon structures covering 50 more than square metres will be located within 32 metres of a watercourse.</p>
<p><u>GNR 983 Listing 1 Activity 19 (i)</u> The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shell grit, pebbles or rock of more than 5 cubic metres from – (i) a watercourse</p>	<p>Alternative 2 & 3 power lines pylon structures will interact with the artificial wetland on site. Excavations and depositing of concrete of more than 5 cubic metres will take place for pylon foundations that interact with the watercourse and its buffer zone.</p>
<p><u>GNR 983 Listing 1 Activity 27</u> 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-</p>	<p>The proposed development requires the clearance of indigenous vegetation of more than 1 hectare but less than 20 hectares</p>
<p><u>GNR 985 Listing 3 Activity 14 (xii) (a) (b) (iv)</u> The development of – (x) buildings exceeding 10 square metres in size</p>	<p>Electrical infrastructure with a physical footprint of more than 10 square metres will be developed in Gauteng Province in an area identified as Critical</p>

<i>(xii) infrastructure or structures with a physical footprint of 10 square metres or more</i> <i>(a) within a watercourse</i> <i>(b) 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>	Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan.
---	---

Only activity 27 of GNR 983 is approved as it is the only activity triggered by this project. The following reasons substantiate the decision of not approving the below mentioned activities:

- GNR 983 Listing 1 Activity 11 (i) – the proposal entail the upgrade of the power line (like for like) within the same footprint and will not result in the deviation of the existing route alignment.
- GNR 983 Listing 1 Activity 12 (xi) – it has been mentioned in the report that there is an artificial wetland in the area, and the preferred alternative (substation and power line) would not affect the aforesaid waterbody. It was pointed out that only Alternatives 2 & 3 will affect the artificial wetland, hence not considered as preferred alternatives.
- GNR 983 Listing 1 Activity 19 (i) – taking into consideration that there is not waterbodies in close proximity of the preferred alternative, there will be no infilling or depositing of any material from the waterbodies.
- GNR 985 Listing 3 Activity 14 (xii) (a) (b) (iv) - it has been mentioned in the report that there is an artificial wetland in the area, and the preferred alternative (substation and power line) would not affect the aforesaid waterbody. It was pointed out that only Alternatives 2 & 3 will affect the artificial wetland, hence not considered as preferred alternatives.

as described in the Basic Assessment Report (BAR) dated June 2017 at:

Farm names and Portion numbers: Ga Rankuwa Industrial, Portions 28,29,30,31,

Farm Sjambok Zyn OudeKraal 258 JR, Portions 2, 3

21 Digit SG code:

Farm Name/ Township	Portion Number	SG Code
Ga-rankuwa industrial	28	T0JR04430000002800000
Ga-rankuwa industrial	29	T0JR04430000002900000
Ga-rankuwa industrial	30	T0JR04430000003000000
Ga-rankuwa industrial	31	T0JR04430000003100000
Sjambok Zij Oude Kraal 258-JR	3/258-JR	T0JR02580000000300000
Sjambok Zij Oude Kraal 258-JR	2/258-JR	T0JR02580000000200000

Substation coordinates (Alternative 1)	Latitude	Longitude
Substation	25° 33' 49.458"S	27° 59' 26.172"E
	25° 33' 50.869"S	27° 59' 25.006"E
	25° 33' 49.918"S	27° 59' 23.513"E
	25° 33' 48.445"S	27° 59' 24.638"E

Power line coordinates (Alternative 1)	Latitude	Longitude
Starting point of activity	25° 33' 49.778" S	27° 59' 24.796"E
Middle point of activity	25° 34' 27.935" S	27° 59' 02.592" E
End point of activity	25° 35' 03.996" S	27° 58' 48.948" E

- for the proposed expansion of the existing Wesglass Substation and associated power line upgrade, within Ward 30 of the City of Tshwane Metropolitan Municipality, Gauteng Province, hereafter referred to as 'the property'

The project entails the following:

- The expansion of the existing Wesglass Substation from a footprint of 35m x 45m to a footprint of 150m x 100m (15000m²) footprint where the capacity will also be increased from 33kV to 132kV.
- The expansion and/or upgrade of the existing 33kV overhead power line that will span for approximately 2.6km from the existing Wesglass Substation to the authorised line of GaRankuwa Dipompong to the south of which is yet to be constructed.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred alternative for the proposed expansion of the existing Wesglass Substation and associated power line upgrade within ward 30 of the City of Tshwane Metropolitan Municipality in the Gauteng Province is approved as per geographic coordinates indicated above.
2. Authorisation of the activity is 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. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

8. 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.

9. The notification referred to must –
 - 9.1. specify the date on which the authorisation was issued;
 - 9.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 9.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 9.4. give the reasons of the competent authority for the decision.

Commencement of the activity

10. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014 and no appeal has been lodged against the decision. 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

11. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved.

Frequency and process of updating the EMPr

12. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 22 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.
13. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
14. 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.

15. 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.
16. 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

17. 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.
 - 17.1. The ECO must be appointed before commencement of any authorised activities.
 - 17.2. 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.
 - 17.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 17.4. 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

18. 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.
 19. 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.

20. 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.
21. 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.
22. 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.
23. 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

24. 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

25. 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

26. 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

27. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
28. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
29. Construction activities of the proposed power line and substation should be restricted to daylight hours reducing the potential impact on the nocturnal breeding activities of the majority of amphibian species.
30. Any solid waste must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

31. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 31.1. at the site of the authorised activity;
 - 31.2. to anyone on request; and
 - 31.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
32. 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: 02/10/2017


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 BAR dated June 2017.
- b) Mitigation measures as proposed in the BAR dated June 2017 and the EMPr.
- c) The information contained in the specialist studies contained within Appendix D of the BAR; and
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The proposed project will provide reliable electricity and strengthen the network capacity as well as improve the quality of electricity supply in the Garankuwa Industrial Area.
- c) The BAR dated June 2017 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated June 2017 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, 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 June 2017 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 proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and were included in the BAR. The mitigation measure will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised 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.