



## 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

**NEAS Reference:** DEA/EIA0000301/2011

**DEA Reference:** 12/12/20/2164

**Enquiries:** Gabisile Hlongwane

**Telephone:** 012-399-9383 **E-mail:** GabisileH@environment.gov.za

Mr Neil Purdon  
Eskom Holdings SOC Limited  
P.O. Box 66  
**NEW GERMANY**  
3610

Tel: 031 710 5483  
Email: neil.purdon@eskom.co.za

### **PER MAIL**

Dear Mr Purdon

### **ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543, 544 AND 546: PROPOSED CONSTRUCTION OF THE CONDOVER-MBAZWANA-GEZISA 132KV POWERLINES, THE MBAZWANA AND GEZISA 132KV/22KV SUBSTATIONS AND EXPANSION OF THE EXISTING CANDOVER SWITCHING STATION, UMKHAYAKUDE DISTRICT MUNICIPALITY, KWAZULU-NATAL 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,  
Arcadia,  
Pretoria, 0083

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.

**Appeals must be submitted in writing to:**

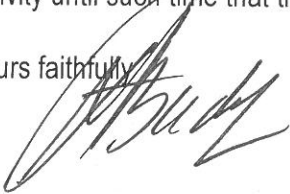
Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012 3999356

Email: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

The authorised activities shall 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 Ishaam Abader**

**Deputy Director-General: Legal, Authorisations, Compliance and Enforcement**

**Department of Environmental Affairs**

Date: 4/11/2014

CC:	Mr Wouter Jordaan	SRK Consulting (Pty) Ltd	Tel: 031 279 1200	E-mail: <a href="mailto:wjordan@srk.co.za">wjordan@srk.co.za</a>
	Mr Dayalin Naidoo	DAEARD	Tel: 035 550 0210	Fax: 035 550 0218
	Mr Bruce Burger	Eskom Holdings SOC Limited	Tel: 031 710 5386	Fax: 086 663 6166
	Mr X. Kunene	Umkhayakude District Municipality	Tel: 035 572 1530	E-mail: <a href="mailto:xkunene@jozini.org.za">xkunene@jozini.org.za</a>

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)**

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> <li>• a notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> <li>• a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

**NOTES:**

1. **An appeal against a decision must be lodged with:-**
  - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  
2. **An appeal lodged with:-**
  - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
  
3. **An appeal must be:-**
  - a) submitted in writing;
  - b) accompanied by:
    - a statement setting out the grounds of appeal;
    - supporting documentation which is referred to in the appeal; and
    - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.





## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 36 of the Environmental Impact Assessment Regulations, 2010

Construction of the Candover-Mbazwana-Gezisa 132kV Powerlines, the Mbazwana and Gezisa  
132kV/22kV Substations and expansion of the existing Candover Switching Station

Umkhayakude District Municipality

<b>Authorisation register number:</b>	<i>12/12/20/2164</i>
<b>NEAS reference number:</b>	<i>DEA/EIA/0001552/2012</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>Makhathini Flats, Northern KwaZulu-Natal in Umhlabuyalingana Local Municipality and Jozini Local Municipality, KZN 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.

## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

### **ESKOM HOLDINGS SOC LIMITED**

with the following contact details –

Mr. Neil William Purdon  
Eskom Holdings SOC Limited  
P.O. Box 66

### **NEW GERMANY**

3610

Tel: (031) 710 5483

Fax: (031) 710 5146


Cell: (082) 862 6555

E-mail: neil.purdon@eskom.co.za





to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1 and 3 of the GN R. 544 and 546 of NEMA Regulations 2010:

<b>Listed activities</b>	<b>Activity/Project description</b>
<p><u>GN R. 544 Item 10(i):</u>                      The construction of facilities or infrastructure for the transmission and distribution of electricity –</p> <p>(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.</p>	<p>Eskom proposes constructing a new 132kV Powerline in the rural area of the Jozini and Umhlabuyalingana Municipalities as well as two associated 132kV/22kV Substations in the Umhlabuyalingana Municipality on the Makhathini Flats. The proposed powerline will proceed from Candover to Mbazwana to Gezisa – a distance of approximately 150km. The powerline will require a servitude width of 32m. The construction of this infrastructure for the distribution of electricity outside an urban area with a capacity of more than 33kV but less than 275kV requires a basic assessment.</p>
<p><u>GN R. 544 Item 11(xi):</u>                      The construction of:</p> <p>(xi) Infrastructure or structures covering 50 square metres or more, where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>The powerline structures and substations will cover an area of 50m<sup>2</sup> or more and may have to be placed within 32m of a watercourse/wetland, where unavoidable.</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, 2004 (Act No. 10 of 2004)</p>	<p>The vegetation cover will be removed within an endangered ecosystem listed in terms of Section 52 of the NEMBA.</p>
<p><u>GN R. 546 Item 3(a):</u>                      The construction of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast –</p> <p>(a) Is to be placed on a site not previously used for this purpose, and</p> <p>(b) Will exceed 15 metres in height but excluding attachments to existing buildings and masts on roof</p>	<p>Towers for Eskom Communications may have to be constructed at Mbazwana and Gezisa Substations at a height greater than 15m depending on the location of the substations and their surroundings.</p> 

<b>Listed activities</b>	<b>Activity/Project description</b>
tops	
<p><u>GN R. 546 Item 4(a):</u>                      The construction of a road wider than 4 metres with a reserve less than 13,5 metres –</p>	<p><i>Eskom may have to construct access roads 6m wide or wider for the construction and maintenance of the proposed powerline and substations.</i></p>
<p><u>GN R. 546 Item 12(a)(b):</u>                      The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) <i>Within any critical 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>(b) <i>Within critical biodiversity areas identified in bioregional plans.</i></p>	<p><i>Greater than 300m<sup>2</sup> of indigenous vegetation cover will be removed within an endangered ecosystem listed in terms of Section 52 of the NEMBA and according to the National Spatial Biodiversity Assessment 2010.</i></p>
<p><u>GN R. 546 Item 13(c):</u>                      The clearance of an area of 1 hectare or more of vegetation where 75% or more of vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <p>(1) <i>The undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list.</i></p> <p>(2) <i>The undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN R. No.544 of 2010</i></p>	<p><i>Greater than 1 ha of indigenous vegetation will be removed. This will occur within 10km of the iSimangaliso Wetland Park, World Heritage Site and within 5km of the following areas as proclaimed in terms of NEMPAA viz. it is envisaged that the powerline will be constructed in close proximity to the Phongolapoort Nature Reserve and the powerline and the Gezisa Substation construction within 5km of the Sileza Nature Reserve in Manguzi.</i></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 vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p>	<p><i>An area of greater than 5ha of indigenous vegetation cover will be removed for the construction of the 132kV Candover-Mbazwana-Gezisa powerline, and associated 132kV/22kV Mbazwana and 132kV/22kV Gezisa Substations.</i></p>

<b>Listed activities</b>	<b>Activity/Project description</b>
<p>(1) Purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;</p> <p>(2) The undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;</p> <p>(3) The undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.</p>	<p>The construction of this infrastructure for the distribution of electricity will occur outside an urban area with a capacity of more than 33 but less than 275 kilovolts (the threshold identified in Listing Notice 1 of GN R.544).</p>
<p><u>GN R. 546 Item 16(iv)(a) ii.(hh):</u>          The construction of          (iv) infrastructure covering 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.          (a) In KwaZulu Natal Province          (ii) Outside urban areas          (hh) Areas within 10km from National Parks or World Heritage Sites or 5km from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	<p>The powerline structures and substations will cover an area of 10m<sup>2</sup> or more and may have to be placed within 32m of a watercourse/wetland, or in a watercourse/wetland where unavoidable. This will occur within 10km of the iSimangaliso Wetland Park, World Heritage Site and within 5km of the following areas as proclaimed in terms of NEMPAA viz. it is envisaged that the powerline will be constructed in close proximity with the Phongolapoort Nature Reserve and within 5km of the Mkuze Nature Reserve. The Gezisa Substation will be constructed within 5km of the Sileza Nature Reserve.</p>
<p><u>GN R. 546 Item 19(a):</u>          The widening of a road by more than 4 metres, or the lengthening of a road by more than 1km</p>	<p>Where necessary existing roads will be widened to 6m wide or wider for construction and maintenance purposes of the powerline and SS.</p>





as described in the final Basic Assessment Report (BAR) dated November 2012 and supporting documents received up to 04 August 2014 at:

<b>Alternative MSS3 (Mbazwana Substation)</b>	<b>Latitude</b>	<b>Longitude</b>
Mbazwana Substation 3	27°28'52.885"	32°33'51.263"
<b>Alternative GSS4 (Gezisa Substation)</b>	<b>Latitude</b>	<b>Longitude</b>
Gezisa Substation 4	27°1'50.546"	32°39'12.569"
<b>Preferred Alternative 1 (Candover-Mbazwana-Gezisa Powerline)</b>	<b>Latitude</b>	<b>Longitude</b>
Starting point of activity (Candover Substation)	27°32'51.115"	31°59'12.595"
Middle point of activity (Mbazwana Substation)	27°28'52.885"	32°33'51.263"
End point of activity (Gezisa Substation)	27°1'50.546"	32°39'12.569"

- for the construction of the Candover-Mbazwana-Gezisa 132kV Powerlines, the Mbazwana and Gezisa 132kV/22kV Substations and expansion of the existing Candover Switching Station located in the Makhathini Flats Area in northern KwaZulu-Natal with the jurisdiction of Jozini Local Municipality and Umhlabuyalingana Local Municipality both fall within the Umkhayakude District Municipality in KwaZulu-Natal Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- 500m wide corridor of 132kV Powerline (79000m in length) from the existing Candover Substation to the proposed Mbazwana Substation;
- 500m wide corridor of 132kV Powerline (58000m in length) from the proposed Mbazwana Substation to another proposed Gezisa (Manguzi) Substation;
- 132/22kV Mbazwana Substation (150mx150m);
- 132/22kV Gezisa (Manguzi) Substation (150mx150m);
- Expansion of the site footprint of the existing Candover Switching Station by 2,640m<sup>2</sup>;
- Telecommunication masts;
- New access roads and widening of the existing ones.



## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred Mbazwana Substation (MSS3), the preferred Gezisa Substation (GSS4), the preferred Candover-Mbazwana Northern Corridor (CM) which is approximately 79km long and the preferred Mbazwana-Gezisa Eastern Corridor (MG) which is approximately 54km is approved.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's 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 05 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. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. 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

9. 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.

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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
  - 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.
11. The holder of the authorisation must publish a notice –
  - 11.1. informing interested and affected parties of the decision;
  - 11.2. informing interested and affected parties where the decision can be accessed; and
  - 11.3. 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**

12. 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**

13. The applicant must appoint a suitably experienced 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.
  - 13.1. The ECO must be appointed before commencement of any authorised activities.
  - 13.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 13.4. 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**

14. 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.
15. 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.
16. 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.
17. 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**

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
19. 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.

### **Notification to authorities**

20. 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.



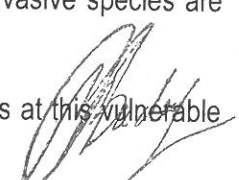
### **Operation of the activity**

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

### **Site closure and decommissioning**

22. 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**

23. Hardened surfaces must be located at least 15m outside of the outer boundary of the wetland
24. Stormwater outflows must not be allowed to enter directly into the wetland.
25. No activities are allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water Affairs.
26. On final placement of Mbazwana- Gezisa (MG) 132kV powerline including servitude, care must be taken in field placement of the powerline infrastructure along the section of the route bordering the southern boundary of the Sileza Nature Reserve. KZN Wildlife must be in agreement with the final alignment.
27. Only four (4) metre servitude is allowed through the sand forest where there is need for clearance.
28. Although the road track running through the wetland that is impacted upon by the proposed GSS4 (Gezisa Substation) is not a registered track, the Applicant must ensure that the substation does not impact on the wetland. The 15m buffer from the outer boundary of the wetland must be observed.
29. All wetlands, riparian zones and buffer zones must be demarcated; these must be clearly marked as no-go areas to limit disturbances. Workers must be informed that activities and traffic beyond the buffer zone must be limited to only that which is necessary.
30. Mitigation measures set out in the wetland report must be strictly adhered to as well as the rehabilitation and monitoring plan.
31. Establishment of alien invasive species within the areas affected by construction and maintenance of power line must be monitored. Immediate corrective action must be taken where invasive species are observed to occur.
32. Bird diverters must be installed at the Mseleni River in order to mitigate collision risks at this vulnerable flight path area.
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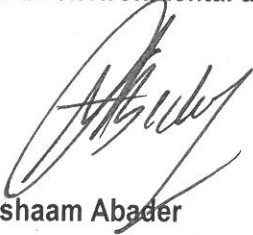
33. Care should be taken in sensitive areas such as grassland, wetland and river crossings not to create more disturbance than is necessary. Access of machinery and vehicles to these areas should be carefully controlled and maintenance and construction activities must be restricted to the servitude where practical.
34. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species, and assist in identifying the areas that require protection.
35. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous protected and endangered plant and animal species.
36. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
37. Liaison with land owners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
38. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
39. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
40. 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

41. 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.
  42. 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.
  43. 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
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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 NOVEMBER 2014



Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement  
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 final Basic Assessment Report (BAR) received on 29 November 2012, Addendum Report received on 07 October 2013 and the Additional Information received on 08 January 2014, the Amended Application Form received on 12 March 2014 and additional information dated 10 July 2014 and received by the Department on 04 August 2014;
- b) The comments received from the organs of state and interested and affected parties as included in the final BAR dated November 2012 and subsequent documents listed above;
- c) Mitigation measures as proposed in the final BAR dated November 2012 and subsequent documents including the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the final BAR;
- e) Findings of the site visit conducted on 11 and 12 February 2013; and
- f) 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 stems from the high demand from the highly constraint Makhithini network which is unable to supply additional electrification load growth in the Candover, Mbazwana and Gezisa area.
  - c) The BAR dated November 2012 and subsequent documents identified all legislation and guidelines that have been considered in the preparation of the BAR.
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- d) The methodology used in assessing the potential impacts identified in the BAR dated November 2012 and subsequent documents including 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 BAR dated November 2012, subsequent documents 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 November 2012 and subsequent documents are accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR 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.

