



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: 14/12/16/3/3/2/356

Enquiries: Mr Mahlatse Shubane

Telephone: 012-399-9417 **E-mail:** mshubane@environment.gov.za

Ms Martina Phiri
Eskom Holdings SOC Limited
P.O. Box 1091
SUNNINGHILL
2157

Tel: (011) 800 3550
Email: phirim@eskom.co.za

Dear Ms Phiri

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/545/546: CONSTRUCTION OF THE PERSEUS-GAMMA 2ND 765KV TRANSMISSION POWER LINE AND SUBSTATIONS UPGRADE IN THE NORTHERN CAPE AND FREE-STATE PROVINCES

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

MS

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) 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 sincerely



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

Date: 6/11/2015

CC:	Ms J Fasheun	Consultancy (EAP)	Tel: 076-876-2672	Email: judy@mokgope.co.za
	Mr G Mkhosana	Provincial Department: Free-State Province	Tel: 051-400-4812	Email: mkhosana@detea.fs.gov.za
	Mrs N Ranuhulu	Provincial Department: Northern Cape Province	Tel: 053-807-7467	Email: nranuhulu@ncpg.gov.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 Perseus-Gamma 2nd 765kV transmission power line and substations upgrade in the Northern Cape and Free-State Provinces

Lejweleputswa and Pixley Ka Seme District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/356</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>ESKOM HOLDINGS SOC LIMITED</i>
Location of activity:	<i>FREE-STATE AND NORTHERN CAPE PROVINCES: Within the Sol Plaatje; Ubuntu; Renosterberg; Siyancuma; Thembelihle; Emthanjeni; Kareeberg; and Tokologo Local Municipalities</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, 2010.

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 Phiri

Eskom Holdings SOC Limited

P.O. Box 1091

SUNNINGHILL

2157

Tel: (011) 800 3550

Fax: (011) 800 3917

E-mail: phirim@eskom.co.za

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

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 11:</u> <i>The construction of:</i> <i>(xi) infrastructure or structures covering 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.</i></p>	<p>The footprint working area for each of the tower structures to be constructed would be approximately 5000m²; which exceeds the threshold of 50m². Some of the tower structures will be constructed within a watercourse and within 32m of a watercourse.</p> <p>The proposed power line will cross numerous perennial and non-perennial rivers and drainage lines, including the Orange River, Modderivier, Riet River and tributaries of the Vaal River and Ongers River.</p>
<p><u>GN R. 544 Item 13:</u> <i>The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres</i></p>	<p>The oil dams will be built to accommodate a capacity of 216m³ of transformer oil. Therefore the capacity of the oil dams would exceed the threshold of 80m³ but less than 500m³.</p>
<p><u>GN R. 544 Item 22:</u> <i>The construction of a road, outside urban areas,</i> <i>(i) where no reserve exists where the road is wider than 8 metres, or</i> <i>for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.</i></p>	<p>Temporary access roads will be constructed during the construction phase of the project and the roads will be rehabilitated prior to the operational phase of the project.</p> <p>The access roads wider than 8m, where no reserve exists will be determined along the chosen route alignment prior to the construction phase of the project.</p>

<p><u>GN R. 544 Item 38:</u></p> <p><i>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.</i></p>	<p>Both Perseus and Gamma Substations will entail an upgrade of the capacity and expansion of the footprints to accommodate the 765kV transmission capacity.</p> <p>The current footprint at Perseus substation is approximately 13ha and would be expanded by approximately 2ha. The current footprint at Gamma Substation is approximately 12ha and would be expanded by approximately 2ha.</p>
<p><u>GN R. 544 Item 47(ii):</u></p> <p><i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -</i></p> <p><i>(i) where no reserve exists, where the existing road is wider than 8 metres –</i></p> <p><i>excluding widening or lengthening occurring inside urban areas.</i></p>	<p>Existing roads will be temporarily widened by more than 6m and will be lengthened by more than 1km to accommodate the constructed heavy vehicles during the construction phase of the project. The roads will be rehabilitated prior to the operational phase of the project.</p>
<p><u>GN R. 545 Item 8:</u></p> <p><i>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.</i></p>	<p>The proposed project involves the construction of a 765kV transmission power line from the Perseus substation near Dealesville in the Free State Province to Gamma substation near Victoria West in the Northern Cape Province. The length of the power line would be approximately 405km, depending on the final route alignment.</p>
<p><u>GN R. 546 Item 3 (a) (bb), (gg):</u></p> <p><i>The construction of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast:</i></p> <p><i>(a) will exceed 15 metres in height,</i></p> <p><i>but excluding attachments to existing buildings and masts on rooftops.</i></p> <p>(a) In Free State and Northern Cape provinces:</p>	<p>The proposed development would involve the installation of a telecommunication mast that would be used for communication purposes during the operational phase of the 765kV power line. The telecommunication mast would be installed at both Perseus and Gamma substations. The telecommunication mast will be 18m in</p>

<p><i>i. Outside urban areas,</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</i></p>	<p>height.</p> <p><u>Geographical areas:</u></p> <p>Perseus substation and surroundings are situated in the western reaches of the Grassland Biome. In particular, Perseus substation is situated within the endangered Vaal-Vet Sandy Grassland. It is further noted that the route alternatives will traverse through a portion of the Free state Highveld Grassland focus area for expansion, which is in close proximity to the Perseus Substation (See Figure a, taken from the Vegetation Report).</p>
<p><u>GN R. 546 Item 4 (a) (ii) (bb), (gg):</u></p> <p><i>The construction of a road wider than 4 metres with a reserve less than 13,5 metres</i></p> <p>(a) In Free State and Northern Cape provinces:</p> <p><i>(ii) Outside urban areas, in:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</i></p>	<p>Construction heavy vehicles will require access along the final route alignment from Perseus to Gamma substation to transport towers and other associated structures.</p> <p>Temporary access roads will be constructed during the construction phase of the project and the roads will be rehabilitated prior to the operational phase of the project.</p> <p>The access roads wider than 4m with a reserve less than 13.5m will be determined along the chosen route alignment prior to construction phase of the project.</p> <p><u>Geographical areas:</u></p> <p>The proposed alternative routes will traverse protected areas as well as NPAES focus areas. Alternative 1 will traverse a small portion of the Senqu Caledon Focus Area</p>

<p><u>GN R. 546 Item 12 (a):</u> <i>The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation:</i> (a) <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in National Spatial Biodiversity Assessment 2004.</i></p>	<p>The tower construction will be approximately 5000m² and will require vegetation clearance. The study area falls within the grassland biome, which is dominated by grasses and plants with perennial underground storage organs; Nama Karoo biome which is dominated by a grassy, dwarf shrubland and Savanna Biome</p>
<p><u>GN R. 546 Item 14 (a) (i) (3):</u> <i>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for</i> (3) <i>The undertaking of a linear activity falling below the thresholds in Notice 544 of 2010</i></p>	<p>More than 5ha of vegetation will be cleared. It will be along the 80m wide servitude at a length of approximately 405km from Perseus to Gamma. The clearance is for the access route at operational / maintenance phase.</p>
<p><u>GN R. 546 Item 16 (iv) (a) ii (aa) (bb) (hh):</u> <i>The construction of:</i> (iv) <i>infrastructure covering 10 square metres or more</i> <i>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</i> (a) <i>In Free State and Northern Cape</i> (ii) <i>Outside urban areas in</i> (aa) <i>A protected area identified in terms of NEMPAA, excluding conservancies</i> (bb) <i>National Protected Area Expansion Strategy Focus Areas</i> (hh) <i>Areas within 10 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</i></p>	<p>The footprint for the working area for each of the tower structures to be constructed will be approximately 5000m²; which exceeds the thresholds of 10m². The tower structures to be constructed within a watercourse and within 32 metres of the watercourse. The proposed development will be situated outside urban areas. The proposed development will traverse a protected area and NPAES focus areas and will traverse through a portion of the Free-State Highveld Grassland focus areas for expansion in close proximity to the Perseus Substation.</p>

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<p><u>GN R. 546 Item 19 (a) ii (aa) (bb) (gg):</u> <u>The widening of the road by more than 4 metres, or lengthening of a road by more than 1 kilometre</u></p> <p>(a) <u>In Free State and Northern Cape provinces</u></p> <p>ii. <u>Outside urban areas</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus Areas</u></p> <p>(gg) <u>Areas within 10 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</u></p>	<p>The existing roads will be temporarily widened by more than 4m and or lengthened by more than 1km to accommodate the constructed heavy vehicles during construction phase of the project. The proposed development will be situated outside urban areas. The proposed development will traverse a protected area and NPAES focus areas and will traverse through a portion of the Free-State Highveld Grassland focus areas for expansion in close proximity to the Perseus Substation.</p>
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as described in the Environmental Impact Assessment Report (BAR) dated July 2015 at:

Alternative S1	Latitude	Longitude
Starting point of activity	28° 37' 58.44"S	25° 44' 39.207"E
Middle point of activity	30° 02' 21.1462"S	24° 32' 22.9099"E
End point of activity	31° 40' 49.1182"S	23° 24' 4.0777" E

Alternative 1(a)	Latitude	Longitude
Starting point of activity	30° 43' 15.2108"S	24° 03' 8.2119"E
Middle point of activity	31° 11' 46.682"S	23° 41' 19.788"E
End point of activity	31° 40' 49.1182"S	23° 24' 4.0777" E

- for the proposed Perseus-Gamma 2nd 765kV transmission power line and substations upgrade in the Northern Cape and Free-State Provinces, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- The proposed 2nd 765kV transmission power line between Perseus and Gamma Substations;
- The proposed 2nd 765kV transmission will be approximately 405km long and a servitude of approximately 80m wide servitude (40m on either side of centre line);
- Towers for the proposed power line will be approximately 48m in height with a span width of approximately 400m between each tower position;
- A working area of 5000m² is needed for each of the proposed towers to be constructed;
- The proposed development will also entail upgrading the capacity of the Gamma and Perseus substations;
- The current footprint at Perseus substation is approximately 13ha and will be expanded by 2ha;
- The current footprint at Gamma substation is approximately 12ha and will also be expanded by 2ha; and

The Perseus and Gamma substations would require the following upgrade activities:

- 1 x 765kV feeder bay at Perseus substation (extend existing busbar if necessary);
- 1 x 765kV feeder bay at Gamma substation (extend existing busbar if necessary); and
- 400MVA_r line reactors at both ends.

At Perseus and Gamma substations, storage of diesel vehicle fuel and transformer oils will be required. The diesel vehicle fuel of 10m³ would be stores in containers (at a time) at the substations for refuelling of construction vehicles. The oil collection dams will be built to collect and store the transformer oils in cases of spillages. The oil dam will be built to accommodate $1.2 \times 180\text{m}^3 = 216\text{m}^3$.

In addition, telecommunication masts of approximately 18m in height would be installed at both Perseus and Gamma substations. The telecommunication mast would be used for communication purposes during the operational phase of the proposed power line.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred route Alternative 1 and Deviation (1a) are hereby 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. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must apply for an amendment of 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.

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 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.
 - 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.
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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 must 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. 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. This notification period may coincide with the notice of intent to appeal period.

Operation of the activity

21. 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

22. Should the activity ever cease or become redundant, the applicant 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

23. The large pan area must **not** be impacted, in any of the phases (construction or/and operational phase) of the project.
24. Erosion control measures must be implemented to secure further erosion along the route during and after the construction of the proposed development.
25. All existing servitudes and access roads must be used in order to limit the impacts on the remaining natural areas and sensitive features.
26. Anti-collision devices such as bird flappers must be installed where the power line crosses avifaunal corridors.
27. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous protected and endangered plant and animals.
28. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
29. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
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 59 of 2008).

General

31. 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
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- 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.
32. The holder of the authorisation must notify both the *Director: Strategic Infrastructure Developments* 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.
33. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority will 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: 6/11/2015


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 July 2015;
- b) The comments received from the interested and affected parties as included in the EIR dated July 2015;
- c) Mitigation measures as proposed in the EIR dated July 2015 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the EIR;
- e) Findings of the site visit conducted on 08 to 11 September 2015; 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 was well explained and the Department taken the need of the project into consideration.
- c) The EIR dated July 2015 identified all legislation and guidelines that have been considered in the preparation of the EIR dated July 2015.
- d) The methodology used in assessing the potential impacts identified in the EIR dated July 2015 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 July 2015 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 EIR dated July 2015 is accurate and credible.
- e) 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.