



environment & tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001 • Fedsure Building, 315 Pretorius Street, Pretoria, 0002. Tel: (+27 12) 310 3911 Fax: (+27 12) 322 2682

Ref: 12/12/20/1170

Enquiries: Mr. Lerato Mokoena

Tel: (012) 310 3137 Fax: (012) 320 7539 E-mail: LMokoena@deat.gov.za

Attention: Gesan Govender
Envirovolution (Pty) Ltd.
PO Box 1898
Sunninghill
2157

Fax: (086) 162-6222

Dear Sir/Madam

EIA APPLICATION: ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR PROPOSED CONSTRUCTION OF 400KV POWER LINES BETWEEN APOLLO & LEPINI SUBSTATIONS, EKURHULENI METROPOLITAN MUNICIPALITY

The Department confirms having received the application form for environmental authorisation of the abovementioned project on 28 March 2008. You may proceed with the scoping process required in terms of the Environmental Impact Assessment Regulations, 2006, and are requested to arrange a date and time for a site visit and meeting with this department.

The application has been assigned the reference number **12/12/20/1170**. Kindly quote this reference number in any future correspondence in respect of the application.

The applicant must ensure that all requirements of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, are complied with in this EIA process, and that the comments and/or recommendations of the relevant heritage resource authority responsible for the area in which the development is proposed, is considered.

The comments and or response from the relevant heritage resource agency must clearly state that the requirements of the Heritage Resources Act have been met during the study.

You are hereby reminded that the activity may not commence prior to environmental authorisation being granted by the Department.

Yours sincerely


Ms Nosipho Jezile

Acting Director – General

Department of Environmental Affairs and Tourism

Letter signed by: L. Mokoena

Designation: Principal Environment Officer: Environmental Impact Evaluation: Parastatals

Date: 22/04/2008

Cc:

Mmamoloko Seabe

Eskom Holdings

Fax: (011) 800-3917

Page 1 of 1

APPLICATION FORM

(For official use only)

File Reference Number:						
Application Number:						
Date Received:						

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2005

Kindly note that:

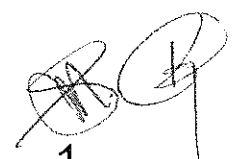
1. This application form is current as of It is the responsibility of the EAP to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. It is in the form of a table that can extend itself as each space is filled with typing.
3. Where applicable **black out** the boxes that are not applicable in the form.
4. Incomplete applications may be returned to the applicant for revision.
5. The use of "not applicable" in the form must be done with circumspection as if it is used in respect of material information that is required by the competent authority for assessing the application, and may result in the rejection of the application as provided for in the regulations.
6. This application must be handed in at the offices of the relevant competent authority as determined by each authority.
7. No faxed or e-mailed applications will be accepted.
8. The application must be completed by an independent environmental practitioner.
9. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.

SITE IDENTIFICATION AND LINKAGE

Please indicate all the Surveyor-general 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

T	O	B	E	S	U	B	M	I	T	T	E	D	S	E	P	E	R
A	T	E	L	A	T	A	L	A	T	E	R	D	A	T	E		

(if there are more than 10, please attach a list with the rest of the number) (These numbers will be used to link various different applications, authorizations, permits etc. that may be connected to a specific site)


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 SPM

APPLICATION FORM

1. BACKGROUND INFORMATION

Project applicant:	ESKOM HOLDINGS LTD		
Trading name (if any):	ESKOM TRANSMISSION DIVISION LAND RIGHTS		
Contact person:	Mmamoloko Seabe		
Physical address:	1 Maxwell Drive, Sunninghill, Johannesburg		
Postal address:	P O Box 1091, Sunninghill, Johannesburg		
Postal code:	2157	Cell:	082 801 3911
Telephone:	011-800 2345	Fax:	011-800 3917
E-mail:	SeabeJM@eskom.co.za		

Project consultant:	Envirolution Consulting Pty Ltd		
Contact person:	Gesam Govender		
Postal address:	P O Box 1898, Sunninghill		
Postal code:	2157	Cell:	083 4198 905
Telephone:	0861 4444 99	Fax:	0861 626 222
E-mail:	gesan@envirolution.co.za		
Professional affiliation(s) (if any)			

Landowner:	Not available at present. Refer to Appendix B		
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

Local authority in whose jurisdiction the proposed activity will fall:	Ekurhuleni Metropolitan Municipality		
Contact person:	Lebohang Raliapeng		
Postal address:	P.O. Box 25, Edenvale		
Postal code:	1610		
Telephone:	(011) 456 0012/ 0389	Fax:	(011) 456 0114
E-mail:	Lebohang2@ekurhuleni.com		

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

Project title:	The construction of a 400 kV transmission power line from Apollo to Lepini, Gauteng
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Property description:	Refer to Appendix C (Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list to this application.
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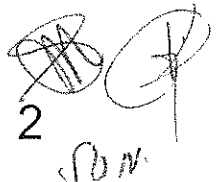
Town(s) or district(s):	Tembisa, Olifantsfontein,
Physical address:	Refer to Appendix C In instances where there is more than one town or district involved, please attach a list of towns or districts to this application.

Current land-use zoning:	Mostly Industrial, Residential and Agricultural – Specific zoning will be submitted at a latter stage. In instances where there is more than one current land-use zoning, please attach a list of current land use zonings that also indicate which portions each use pertains to, to this application.
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Is a change of land-use or a consent use application required?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Must a building plan be submitted to the local authority?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Locality map:	A locality map must be attached to the back of this document, as Appendix A. The scale of the locality map must be at least 1:50 000. The scale must be indicated on the map. The map must indicate the following: <ul style="list-style-type: none"> an accurate indication of the project site position as well as the positions of the alternative sites, if any; road access from all major roads in the area; road names or numbers of all major roads as well as the roads that provide access to the site(s); all roads within a 1km radius of the site or alternative sites; and a north arrow.
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Owners consent:	In line with the requirements of the EIA regulations, letters of consent of all landowners or a detailed explanation by the applicant explaining why consent is not possible must be attached to the back of this document as Appendix B.
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APPLICATION FORM

2. Activities applied for

An application may be made for more than one listed or specified activity that, together, make up one development proposal. All the listed activities that make up this application must be listed.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice) :	Describe each listed activity:
Government Notice No. R 386 of 2006	16	The transformation of undeveloped, vacant or derelict land to – (a) establish infill development covering an area of 5 hectares or more, but less than 20 hectares; or (b) residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.
Government Notice No. R 386 of 2006	15	The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.
Government Notice No. R 386 of 2006	7	The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres but less than 1 000 cubic metres at any one location or site.
Government Notice No. R 386 of 2006	1(m)	The construction of facilities or infrastructure, including associated structures or infrastructure, for – any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including - (i) canals; (ii) channels; (iii) bridges; (iv) dams; and (v) weirs;
Government Notice No. R 386 of 2006	12	The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
Government Notice No. R 387 of 2006	1(l)	The construction of facilities or infrastructure, including associated structures or infrastructure, for – the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more;
Government Notice No. R 386 of 2006	2	Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.
Government Notice No. R 386 of 2006	20	The transformation of an area zoned for use as public open space or from a conservation purpose to another use.

Please note that any authorisation that may result out of this application will only cover activities applied for. Omissions may render any authorisation that is based on incomplete information to be nil and void.


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 SDM

APPLICATION FORM

3. Type of application

3.1 Application for Basic Assessment

Is this an application for conducting a basic assessment (as defined in the regulations)?

<input checked="" type="checkbox"/>	NO
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If, YES, is a basic assessment report attached?

YES	<input checked="" type="checkbox"/>
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If, NO, please indicate when the basic assessment report will be submitted:

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3.2 Application for Scoping and Environmental Impact Assessment (EIA)

Is this an application for Scoping and EIA (as defined in the regulations)?

YES	<input checked="" type="checkbox"/>
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If, YES, is a Scoping Report and Plan of Study for EIA attached?

<input checked="" type="checkbox"/>	NO
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If, NO, please indicate when the Scoping Report and Plan of Study for EIA will be submitted:


THE SCOPING REPORT AND THE PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT (EIA) WILL BE SUBMITTED AFTER THE PUBLIC PARTICIPATION PROCESS (ANNOUNCEMENT) IS CONCLUDED.
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The scoping report and/or the plan of study for EIA will be submitted after consultation with the competent authority:

YES	<input checked="" type="checkbox"/>
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A consultation with the competent authority is hereby requested:

YES	<input checked="" type="checkbox"/>
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APPLICATION FORM

4. Declarations

4.1 The independent Environmental Assessment Practitioner

I, GESAN GWENDELER, declare under oath that I -

- act as the independent environmental practitioner in this application ;
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2005;
- have and will not have no vested interest in the proposed activity proceeding;
- have no, and will not engage in, conflicting interests in the undertaking of the activity;
- undertake to disclose, to the competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the Environmental Impact Assessment Regulations, 2005;
- will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- will keep a register of all interested and affected parties that participated in a public participation process; and
- will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.

[Handwritten Signature]

Signature of the environmental practitioner:

ENVIROOLUTION CONSULTING

Name of company:

20/03/08

Date:

[Handwritten Signature] 2450377-6
SD N or goshese insp

Signature of the Commissioner of Oaths:

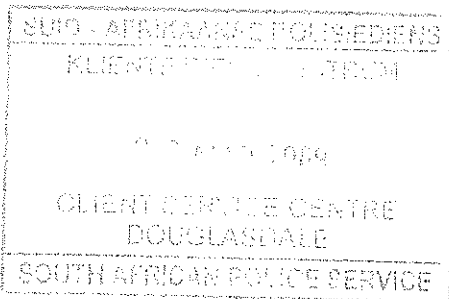
2008/03/20

Date:

Douglasdale SAPS

Designation:

Official stamp (below)



[Handwritten Signature]

APPLICATION FORM

4.2 The Applicant

I, Mmamoloko Seabe declare under oath that I -

- Am, or represent, the applicant in this application;
- appointed the environmental assessment practitioner as indicated under point 4.1 above to act as the independent environmental assessment practitioner for this application;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2005, including but not limited to -
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these regulations;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of these regulations; and
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided in terms of these regulations.



Signature of the applicant:

ESKOM HOLDINGS LTD

Name of company:

19/03/08

Date:



Signature of the Commissioner of Oaths:

20 MARCH 2008

Date:

Designation:

Official stamp (below):

Date appointed: 24 September 1997
Appointment: 2/1 612 Hampton Park (W)

EDMOND CECIL LENNOX
EX OFFICIO
COMMISSIONER OF OATHS
DEEDS REGISTRATION
OFFICER OF ESKOM
ESKOM
P.O. BOX 1091
JOHANNESBURG
REP. OF SOUTH AFRICA



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SDW

LIST OF APPENDICES

Appendix A – LOCALITY MAP

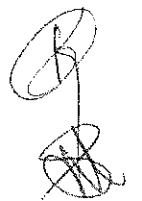
Appendix B – LETTER OF LANDOWNERS CONSENT – NOT APPLICABLE DUE TO
LINEAR NATURE OF THE PROJECT – SEE ESKOM LETTER

Appendix C – LIST OF PROPERTY DESCRIPTIONS – WILL BE MADE AVAILABLE AS
SOON AS ROUTES AND ALTERNATIVES HAVE BEEN IDENTIFIED.



APPENDIX A

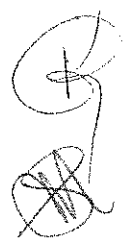
LOCALITY MAP



APPENDIX B

LETTER OF LANDOWNERS CONSENT

9
SBN



The Director Impact and Evaluation Department Date: 18 March 2008
Department of Environmental Affairs and Tourism
Private Bag X447
PRETORIA
0001

Enquiries: Mr. KK Makhanya
Tel: +27 11 800 2706
Fax: +27 11 800 3917

E-mail:
kentridge.makhanya@eskom.co.za

Dear: Sir/Madam

REF: REQUEST TO SUBMIT APPLICATION FORMS WITHOUT CONSENT LETTERS FOR THE APOLLO-LEPINI TRANSMISSION POWER LINE OF 400KV AT A LENGTH OF ~30km AND SUBSTATIONS MODIFICATIONS

The key component of the proposed project and this EIA is the transmission line. Since this is a linear activity, consent from all affected landowners is not required in terms of Regulation 16(3) of GN R 385. However, notice will be given to all affected landowners once "the proposed route or alternative routes have been identified" as part of the Public Participation Process of the Scoping Phase of the EIA.

The proposed substation modifications are included in the application as "associated infrastructure" to the transmission line and is therefore an integral part of the application for authorisation. It is proposed that the issue of landowner consent be dealt with consistently for both the transmission line and the substation modifications since they both form an integral part of this linear project.

It is submitted that this approach is particularly appropriate in circumstances where an applicant, such as Eskom, has statutory powers of expropriation due in part to its designation as an "essential service". Eskom therefore has a unique and separate process for servitude and land acquisition during which it generally seeks to obtain the consent of the landowner. However, national legislation recognises that it may not always be possible to obtain landowner consent and therefore a right of expropriation is conferred on Eskom in these circumstances.

The public participation process undertaken for the EIA does not include the final servitude negotiations with the landowners that will be directly affected by the final route. It is important that the aims of the EIA and servitude negotiation processes are seen as separate. They share a common cause (the construction and operation of a Transmission power line) and may share common landowner databases, but they have different aims.

The servitude negotiations task will be undertaken by a negotiator from Eskom if an authorisation is granted in favour of the project. The Eskom negotiator will, however, be involved in the project team site visit and discussions regarding the selection of a recommended corridor for the proposed line and substation modifications.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'M Seabe', written over a horizontal line.

Mmamoloko Seabe
Manager: Land and Rights

APPENDIX C

LIST OF PROPERTY DESCRIPTIONS

**– WILL BE MADE AVAILABLE AS
SOON AS ROUTES AND ALTERNATIVES HAVE BEEN IDENTIFIED.**