

- 1.31 The applicant must minimize habitat destruction and disturbance during all construction, maintenance and decommissioning activities. Vegetation must only be removed as required for construction and operation for the line. The applicant is responsible for avoiding the removal or trimming of any vegetation along the servitude during construction and operation. DWAF permits must be obtained for these individual plants before they are removed.
- 1.32 Construction work must be confined to the construction site(s) and interference with indigenous plant and animal species, particularly rare and threatened species and their habitats is prohibited.
- 1.33 No surface or ground water may be polluted due to any activity on the property/site. The relevant requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 1.34 The construction site must be demarcated before the construction phase commences and disturbance to the surrounding area must be avoided, through the following measures:
 - 1.34.1 Access to the site must be obtained by making use of the existing road. Vehicles must be restricted to the clearly demarcated access route
 - 1.34.2 All activities (storage and off-loading of material, construction and installation) must be restricted to the demarcated area to minimise any potential disturbance to the surrounding area.
 - 1.34.3 Only construction and maintenance personnel must have access to the site.
 - 1.34.4 No fires must be permitted on the site.
 - 1.34.5 No concrete or cement mixing must take place on the soil or grass surfaces. Cement mixers must be placed in suitable trays to prevent spillage onto the soil surface. If possible, the use of ready-mix concrete should be considered.
- 1.35 Within six months of the telecommunications structure ceasing to be functional for the purpose for which it is now authorised, it must be removed at the expense of the applicant, and the site, including all associated infrastructure such as access roads, must be rehabilitated to the satisfaction of this Department.
- 1.36 South African National Roads Agency's letter dated 14 March 2007, attached to the EIR dated August 2007, must strictly be adhered to.
- 1.37 Eskom must stay within the agreement with the property owner of the Schietkull as signed on 15 November 2006. No interference with his wild game will be tolerated. An alternative water source needs to be provided or developed for the herd of springboks that currently uses the water-hole on the site where the Sub-station will be developed.

General

- 1.38 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation 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.
- 1.39 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details; the applicant must notify the Department as soon as the applicant knows the new details.
- 1.40 The holder of the authorisation must notify 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. 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 regulations.
- 1.41 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 19/11/2007


Ms Pam Yako

Director -- General

Department of Environmental Affairs and Tourism

Letter signed by: Mr Wynand Fourie

Designation: Acting Chief Director: Environmental Impact Management

Annexure 1: Reasons for Decision

1. Background

The applicant, Eskom Holdings Limited, applied for authorisation to carry out the following activities –

GN. No. 386 (14): *The construction of masts of any material or type and of any height, including those used for telecommunication broadcasting and radio transmission.*

(15): *The construction of a road that is wider than 4 meters or that has a reserve of more than 6 meters, excluding roads that fall within the ambit of another listed activity or which are access roads less than 30 meters long.*

GN. No 387 (1)(c) *The construction of facilities or infrastructure, including associated structures or infrastructure for the above ground storage of dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of 1000 cubic metres or more at any one location or site including the storage of one more dangerous goods, in a tank farm.*

1(f) *The construction of facilities or infrastructure, including associated structures or infrastructure for the transmission of above ground electricity with a capacity of 120 kilovolts or more.*

2 *Any development activity, including associated structures and infrastructure, where the total area of the development area is, or is intended to be, 20 hectares or more.*

for the construction of proposed 765 kV Gamma substation and associated infrastructure as described in the Scoping Report (SR), dated April 2007 and the Environmental Impact Report (EIR), dated August 2007.

The applicant appointed ACER (Africa) Environmental Management Consultants to undertake a Scoping / EIR process and to compile a Scoping Report (SR) and an Environmental Impact Report (EIR) as required by regulation R. 385.

2. 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 SR dated April 2007;
- b) The information contained in the EIR dated August 2007;
- c) Comments of I&AP's;
- d) The consent given by the landowners;
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);

3. 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 applicant, Eskom Holdings Limited proposes:
 - The construction of proposed 765 kV Gamma substation and associated Infrastructure.
 - Construction of 6 m wide, tarred access roads (totalling a length of approximately 1.8 km).
 - Erect fencing where required.
 - A telecommunication mast will be required at the Gamma Sub-station. The mast will be a microwave lattice mast, between 30 and 50 m high and will form an integral part of the sub-station.
- b) The new access road will be tarred from the R63. The flow of traffic to the site during the construction period will be relatively light and, during operations, there will be virtually no traffic.
- c) Three alternative sites were investigated.
 - The proposed site on the farm Ult Vlugt Fontein No 223, bordering on the farm Schietkull No 3.

- An alternative site on the farm Uit Vlucht Fontein, for which a positive Record of Decision was issued by DEAT (as explained, Eskom has decided to move the location of the sub-station).
- The "no go" or no-development alternative.

It should be noted that, in this particular case, the existing Gamma site for which environmental authorisation has been obtained remains the default sub-station for Eskom should environmental authorisation not be obtained for the proposed new site.

- d) A detailed public participation process was undertaken and the consultant has satisfied the minimum requirements as prescribed in the EIA regulations, 2006 for public involvement. The public participation process is running concurrently with the Gamma-Grassridge 765kV transmission line.
- e) As part of the EIA process, ACER (Africa) Environmental Management Consultants, being the principal consultancy, identified potential environmental impacts associated with the proposed construction works and proposed feasible mitigation measures to mitigate the identified impacts.

4. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- It is a detailed Scoping report and EIR that includes the identification and assessment of impacts.
- The procedure followed for the impact assessment seems to be adequate for the decision-making process based on the size of the project and affected area. The assessing officer is of the opinion that the assessment is adequate and comprehensive enough and that possible impacts have been assessed correctly.
- All legal and procedural requirements have been met.
- There has been sufficient consultation with I&AP's apart from the landowner.
- No comments were received from the provincial authority or local authority.
- The proposed development is compatible with the proposed site for the development.
- Project specific environmental management measures ("EMP") were proposed and included in the EIR, submitted to the Department for approval, 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 authorisation for the activity is accordingly granted.