



**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA  
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2662

**NEAS Reference:** DEA/EIA/AMEND/0000034/2012

**DEA Reference:** 14/12/18/3/3/1/508/1

**Enquiries:** Floid Chauke

**Telephone:** 012-395-1839 **Fax:** 012-320-7539 **E-mail:** [fchauke@environment.gov.za](mailto:fchauke@environment.gov.za)

Mr Andrea van Gensen  
Eskom Holdings SOC Limited  
120 Henry Street  
**BLEOMFONTEIN**  
9300

Fax no: (086) 539 5177

**PER FACSIMILE / MAIL**

Dear Mr van Gensen

**AMENDMENT OF ENVIRONMENTAL AUTHORISATION: PROPOSED CONSTRUCTION OF A 132KV POWER LINE ASSOCIATED WITH THE 75MW CONCENTRATING PHOTOVOLTAIC (CPV)/PHOTOVOLTAIC (PV) PLANT ON THE FARM DROOGFONTEIN (PV 2) IN KIMBERLEY, NORTHERN CAPE PROVINCE**

The Department's decision on the above application issued on 30 April 2013 and your correspondence dated 13 May 2013 refers.

Based on a review of the reason for requesting an amendment to the above authorisation, the Department, in terms of regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the environmental authorisation (EA) dated 30 April 2013 by inclusion into the authorised activities, of:

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10:</u></p> <p>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 275 kilovolts.</p>	<p>The construction of a 132kV power line.</p>

The above mention activity was erroneously omitted as part of the listed activities authorised as per the EA dated 30 April 2013, therefore this letter serves to correct that omission and include this activity as part of the authorised listed activities.

This letter must be read in conjunction with the EA dated 30 April 2013.

In terms of regulation 10(2)(a-c) 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 Department's decision in respect of the amendment made 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 amendment 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 facsimile: 012 320 7561;  
By post: Private Bag X447,  
Pretoria, 0001; or  
By hand: 2nd Floor, Fedsure Building, North Tower,  
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,  
Pretoria.

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.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

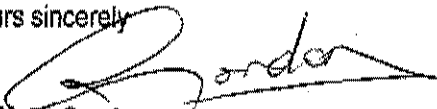
**Appeals must be submitted in writing to:**

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: 012 310 3271  
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 the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely

  
**Mr Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
Date: 21 June 2013

CC	Ms Rebecca Thomas	SIVEST	Fax: 011 803 7272	Tel: 011 798 0637
	Ms E Botes	NC DENC	Fax: 053 807 7328	Tel: 053 807 7300
	Mr G Akhtarwaray	Sol Plaatje Local Municipality	Fax: 053 833 1005	Tel: 053 830 6100



## environmental affairs

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**NEAS Reference: DEA/EIA/12/12/20/0001334/2012**

**DEA Reference: 14/12/16/3/1/508/1**

**Enquiries: Floid Chauke**

**Telephone: 012-395-1839 Fax: 012-320-7539 E-mail: [fchauke@environment.gov.za](mailto:fchauke@environment.gov.za)**

Mr Andrea van Gensen  
Eskom Holdings SOC Limited  
120 Henry Street  
**BLEOMFONTEIN**  
9300

Fax no: (086) 539 5177

### **PER FACSIMILE / MAIL**

Dear Mr van Gensen

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 544/546: PROPOSED CONSTRUCTION OF A 132KV POWER LINE ASSOCIATED WITH THE 75MW CONCENTRATING PHOTOVOLTAIC (CPV)/PHOTOVOLTAIC (PV) PLANT ON THE FARM DROOGFONTEIN (PV 2) IN KIMBERLEY, NORTHERN CAPE PROVINCE**

With reference to the above application, please be advised that the Department has decided to accept your BAR and grant authorisation thereof. 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 facsimile: 012 320 4431
- By post: Private Bag X447, Pretoria, 0001 or
- By hand: 2nd Floor, Fedsure Building, North Tower,  
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets, Pretoria.

If the applicant wishes to lodge an appeal, you 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.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

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

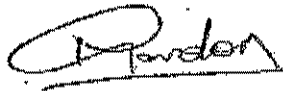
Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012 310 3271

Email: AppealsDirectorate@environment.gov.za

The authorised activity/ies shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



**Mr Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Date:**

CC	Ms Rebecca Thomas	SIVEST	Fax: 011 803 7272	Tel: 011 798 0637
	Ms E Botes	NC DENC	Fax: 053 807 7328	Tel: 053 807 7300
	Mr G Akharwaray	Sol Plaatje Local Municipality	Fax: 053 833 1005	Tel: 053 830 6100

**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)**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
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:-**

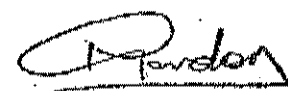
- the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- the Minister of Justice and Constitutional Development if the applicant 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:-**

- the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
- the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

**3. An appeal must be:-**

- submitted in writing;
- 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.





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Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation

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

**PROPOSED CONSTRUCTION OF A 132KV POWER LINE ASSOCIATED WITH THE 75MW  
CONCENTRATING PHOTOVOLTAIC (CPV)/PHOTOVOLTAIC (PV) PLANT ON THE FARM  
DROOGFONTEIN (PV 2) IN KIMBERLEY, NORTHERN CAPE PROVINCE**

**Sol Plaatje Local Municipality and the Greater Francis Baard District Municipality**

<b>Authorisation number:</b>	<b>register</b> 14/12/16/3/3/1/508/1
<b>NEAS reference number:</b>	DEA/EIA/001334/214
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Eskom Holdings SOC Limited
<b>Location of activity:</b>	NORTHERN CAPE PROVINCE: SOL PLAATJE LOCAL MUNICIPALITY AND THE GREATER FRANCIS BAARD DISTRICT MUNICIPALITY

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 Andrea van Gensen  
Eskom Holdings SOC Limited  
120 Henry street

### **BLEOMFONTEIN**

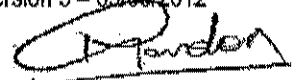
9300

Tel: (051) 404 2040

Fax: (086) 539 5177

E-mail: [vgenseal@eskom.co.za](mailto:vgenseal@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):

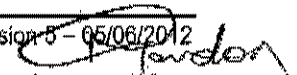


Listed activities	Activity/Project description
<p><u>GN R. 544 Item 11:</u>                      The construction of:                      (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>In the unlikely event that several towers were to be placed within 32 metres of a wetland / watercourse this activity would be triggered.</p>
<p><u>GN R. 544 Item 22:</u>                      The construction of a road, outside urban areas, (i) with a reserve wider than 13,5 meters or, (ii) where no reserve exists where the road is wider than 8 metres, or 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.</p>	<p>The proposed activity may require a construct of a new access road within a reserve wider than 13.5 meters.  <b>Note:</b> some proposed alternatives do not require an access road and are preferred over the once requiring an access road to minimize the ecological impact.</p>
<p><u>GN R. 544 Item 23:</u>                      The transformation of undeveloped, vacant or derelict land to –                      (ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1hectare but less than 20 hectares; - except where such transformation takes place for linear activities.</p>	<p>The site for the new proposed substation is located outside of an urban area on undeveloped vacant land and it will cover an area of approximately 1 hectare.</p>
<p><u>GN R. 546 Item 23:</u>                      The construction of a road wider than 4 metres with a reserve less than 13,5 metres i. Outside urban areas, in:                      (aa) 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;                      (bb) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p>	<p>The project may require the construction of a new access road of less than 13 meters, to serve and maintain the proposed power line, depending on the alternative resorted onto.</p>
<p><u>GN R. 546 Item 12:</u>                      The clearance of an area of 300 square metres or more of vegetation</p>	<p>The cumulative area of vegetation to</p>





Listed activities	Activity/Project description
<p>where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) 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 the National Spatial Biodiversity Assessment 2004;</p> <p>(b) Within critical biodiversity areas identified in bioregional plans</p>	<p>be cleared, due to the proposed power line may be greater than 1 hectare.</p> <p>75% of the vegetation to be cleared may constitute indigenous vegetation.</p>
<p><u>GN R. 546 Item 13</u></p> <p>The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <ol style="list-style-type: none"> <li>1) 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.</li> <li>2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No. 544 of 2010.             <ol style="list-style-type: none"> <li>(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.</li> <li>(b) National Protected Area Expansion Strategy Focus areas.</li> <li>(c) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape and Western Cape:                     <ol style="list-style-type: none"> <li>ii. Outside urban areas, the following:                             <ol style="list-style-type: none"> <li>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</li> <li>(bb) National Protected Area Expansion Strategy Focus areas;</li> <li>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</li> <li>(dd) Sites or areas identified in terms of an International Convention;</li> <li>(ee) Core areas in biosphere reserves; Areas within 10 kilometres</li> </ol> </li> </ol> </li> </ol> </li> </ol>	<p>The cumulative area of vegetation to be cleared, due to the proposed power line may be greater than 1 hectare.</p> <p>75% of the vegetation to be cleared may constitute indigenous vegetation.</p>



Listed activities	Activity/Project description
from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.	
<p><b><u>GN R. 546 Item 16:</u></b>  <i>The construction of:</i></p> <p><i>(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.</i></p> <p><i>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape:</i></p> <p style="padding-left: 40px;"><i>ii. Outside urban areas, in:</i></p> <p style="padding-left: 80px;"><i>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</i></p> <p style="padding-left: 80px;"><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p style="padding-left: 80px;"><i>(cc) World Heritage Sites;</i></p>	Towers may need to be placed within 32 metres of a wetland / watercourse.

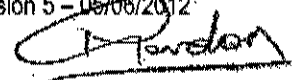
as described in the Basic Assessment Report (BAR) dated November 2012 at:

Alternative 2B	Latitude	Longitude
Starting point of activity	28°34.542'	24°42.343'
Middle point of activity	28°34.480'	24°44.578'
End point of activity (TM2)	28°33.514'	24°46.673'

- for the Portion 1/62 through Portion 69 of Droogfontein farm, near Kimberley, within the boundaries of the Sol Plaatje Local Municipality and in the greater Francis Baard District Municipality in the Northern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Construction of 1 x 132 kV overhead power line from the proposed Droogfontein CPV/PV 2 substation and will loop-in to the existing KDS-Macfarlane 132 kV power line.



## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred route corridor 2B 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 3 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 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 shall be appointed before commencement of any authorised activity/ies.
  - 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 shall 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 shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

- 13.5. 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.

#### **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. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

#### **Notification to authorities**

21. 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**

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

#### **Site closure and decommissioning**

23. 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**

24. An ecologist must be commissioned to perform a final walkthrough of the site once the final route alignment and tower positions have been identified. The specialist must cover buffer identification, no-go areas and fine scale mapping of the distribution of giant bullfrogs within the approved corridor. This specialist report must be submitted to the Department for approval prior to construction.
25. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water Affairs.
26. The applicant must obtain a wayleave from the Department of Public Transport Roads and Works prior construction for crossing provincial roads.
27. Anti-collision devices such as bird flappers must be installed where powerlines crosses avifaunal corridors, as recommended by the avifaunal specialist. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
28. 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.
29. Copies of permits in respect of 28 above required must be submitted to the Department for record keeping.

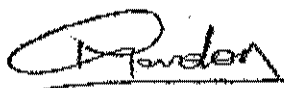
30. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
31. The applicant is required to inform the Department of Agriculture, Forestry and Fisheries and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
32. Vegetation clearing must be kept to power line corridor.
33. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
34. 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

35. 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.
36. 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.
37. 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: 30.04.2013



**Mr Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**



## **Annexure 1: Reasons for Decision**

### **1. Information considered in making the decision**

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the BAR dated November 2012;
- b) The comments received from the Department of Department of Agriculture, Forestry and Fisheries as an organs of state and interested and affected parties as included in the BAR dated November 2012;
- c) Mitigation measures as proposed in the BAR dated November 2012 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the BAR;
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

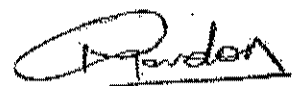
### **2. Key factors considered in making the decision**

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 BAR dated November 2012 identified all legislation and guidelines that have been considered in the preparation of the BAR dated November 2012.
- c) The methodology used in assessing the potential impacts identified in the BAR dated November 2012 and the specialist studies have been adequately indicated.
- d) 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 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 is 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.

