



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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NEAS Reference: DEA/EIA/0002364/2014

DEA Reference: 14/12/16/3/3/1/570

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Dr Barbara van Geems
Eskom Holdings SOC Limited
P.O. Box 222
BRACKENFELL
7561

Tel no: 044 302 6383
Fax no: 021 980 3053

PER FACSIMILE / MAIL

Dear Dr van Geems

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543, 544 AND 546: PROPOSED INSTALLATION OF A 66KV OVERHEAD POWER LINE (2.5KM) AND NEW SUBSTATION ON FARM 305/16 EAST OF THE BITOU RIVER, WESTERN CAPE

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 facsimile: 0123207561;
- 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:

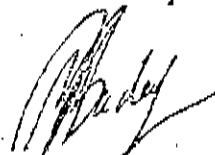
Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012-310-3271

Email: AppealsDirectorate@environment.gov.za

The authorised activity 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 faithfully



Mr Ishaam Abader

**Deputy Director-General: Legal, Authorisations, Compliance and Enforcement
Department of Environmental Affairs**

Date: 03.06.14

CC:	Ms J Barnard	SIVEST Environmental Division	Tel: 021 852 2988	Fax: 021 852 2660
	Mr N Keams	WC Department of Environmental Affairs & Development Planning	Tel: 044 805 8600	Fax: 044 874 2423
	Mr L Gericke	Bitou Local Municipality	Tel: 044 501 3000	Fax: 044 501 3000

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

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

NOTES:

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





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The construction of a 66kV overhead power line (2.5km) and a new substation on Farm 305/16
East of the Bitou River, Bitou Local Municipality in the Western Cape Province

Eden District Municipality

Authorisation register number:	14/12/16/3/3/1/570
NEAS reference number:	DEA/EIA/0002364/2014
Last amended:	Second issue
Holder of authorisation:	ESKOM HOLDINGS SOC LIMITED
Location of activity:	WESTERN CAPE PROVINCE: Bitou Local 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 activity/ies 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 –

Dr Barbara van Geems
Eskom Holdings SOC Limited
P.O. Box 222
BRACKENFELL
7561

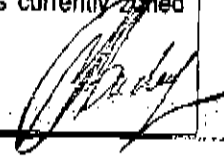
Tel: 021 980 3242
Fax: 021 980 3053
Cell: 082 901 5047
E-mail: vGeemsB@eskom.co.za

Authorisation register number: 14/12/16/3/3/1/570
NEAS reference number: DEA/EIA/0002364/2014
~~14/12/16/3/3/1/570~~
~~14/12/16/3/3/1/570~~



to undertake the following activity/ies (hereafter referred to as "the activity") indicated in terms of GNR543, GN R544 and GN R546 of 18 June 2010:

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10(i):</u> The construction of facilities or infrastructure for the transmission and distribution of electricity, outside urban area or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>The proposed substation and associated 66kV power line are located outside the urban edge</p>
<p><u>GN R. 544 Item 11(xi):</u> The construction of infrastructure or structures covering 50 square meters or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from edge of watercourse, excluding where such construction will occur behind the developments set back line.</p>	<p>The proposed substation as well as select pylons will cover more than 50 square metres and construction will occur within 32 metres of a water course.</p>
<p><u>GN R. 544 Item 14:</u> The construction of structures in the coastal public property where the development footprint is bigger than 50 square metres, excluding (i) the construction of structures within existing ports or harbours that will not increase the development footprint or throughput capacity of the port or harbour; (ii) the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies; (iii) the construction of temporary structures within the beach zone where such structures will be demolished or disassembled after a period not exceeding 6 weeks.</p>	<p>The proposed substation and part of the power line will cover an area of approximate 3600m² and will be located within coastal public property</p>
<p><u>GN R. 544 Item 16(vi):</u> Construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, in respect of (vi) infrastructure covering 50 square metres or more</p>	<p>The proposed substation and power line will cover an area of 3600m² and will be within 100metres inland from the High Water Mark of the estuary</p>

Listed activities	Activity/Project description
<p><i>but excluding</i></p> <p>(a) <i>if such construction or earth moving activities will occur behind a development setback line; or</i></p> <p>(b) <i>where such construction or earth moving activities will occur within existing ports or harbours and the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour;</i></p> <p>(c) <i>where such construction or earth moving activities is undertaken for purposes of maintenance of the facilities mentioned in (i)-(vi) above; or</i></p> <p>(d) <i>where such construction or earth moving activities is related to the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies.</i></p>	
<p><u>GN R. 544 Item 18(i):</u></p> <p>(iv) <i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from</i></p> <p>(iv) <i>the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater but excluding where such infilling, depositing, dredging, excavation, removal or moving;</i></p> <p>(a) <i>is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or</i></p> <p>(b) <i>occurs behind the development setback line.</i></p>	<p>The construction of any pylons near the estuary may require the removal or moving of material of more than 5 cubic metres from the estuary.</p>
<p><u>GN R. 544 Item 24:</u></p> <p><i>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, at the time of the coming into</i></p>	<p>The proposed substation site is currently zoned as conservation/open space.</p> 

Listed activities	Activity/Project description
<p>effect of this Schedule or thereafter such land was zoned open space, conservation or had an equivalent zoning.</p>	
<p><u>GN R. 546 Item 12(b):</u> The clearance of an any critically endangered or endangered ecosystem area of 300 square or more of the vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation (b) Within critical biodiversity areas identified in bioregional plans</p>	<p>The proposed substation and power line may require the clearance of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within critical biodiversity areas.</p>
<p><u>GN R. 546 Item 13(a) & (c)(i):</u> The clearance of an any critically endangered or endangered ecosystem area of 300 square or more of the vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for: (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority. (c) In Western Cape (i) In an estuary</p>	<p>The proposed substation and power line may require the clearance of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within critical biodiversity areas.</p>
<p><u>GN R. 546 Item 16(iv) (d) (i) and (ii) (ff):</u> 16 iv) The construction of 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. (d) In the Western Cape (i) In an Estuary (ii) Outside urban areas, in</p>	<p>The construction of the proposed substation and power line will cover more than 10 square metres and will take place within 32 metres of a watercourse, outside an urban area and in CBA.</p>

Listed activities	Activity/Project description
(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	

as described in the Basic Assessment Report (BAR) dated February 2014 at:

Substation Alternative Site C	Latitude	Longitude
Centerpoint of activity	34° 00' 26.08"	23° 23' 35.44"

Power line Route Alternative 4B	Latitude	Longitude
Starting point of activity	34° 00' 26.08"	23° 23' 35.44"
Middle point of activity	34° 00' 59.64"	23° 23' 06.61"
End point of activity (TM2)	34° 01' 34.71"	23° 22' 43.44"

- for the construction of a 66kV overhead power line (2.5km) and the construction of the 60m x 60m Bitou Substation on Farm No 305/16, situated east of the Bitou River, Bitou Local Municipality in the Western Cape Province, hereafter referred to as "the property".

The proposed project entails the construction of a new 20MVA 66/22kV substation (Bitou Substation) on Farm No 305/16 and comprises of the following:

- 1x66kV feeder having a 66kV motorised isolator only for the Robberg feeder;
- Space for 2nd 66kV feeder bay for the Kurland feeder;
- 1x66kV busbar;
- 1 x 20MVA Transformer 1 bay;
- Space for 2nd 20MVA Transformer bay;
- 4 x 11kV Feeder bays using indoor switchgear;
- Protection and Metering for the above equipment;
- New substation building;
- Adequate Platform for the site;
- Adequate road leading to the site;
- Construction of a new 66kV Overhead power line (2.5km) with a servitude width of 22m from the centerline of the power line (11meters on either side); and

- The pylon structures to be used to construct the power line will galvanised steel monopole self-supporting structures.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred 66kV power line (approximately 2.5km) Route Alternative 4B and the construction of a new Substation on Farm 305/16 (Substation Alternative Site C), east of the Bitou River, Western Cape are 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 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.
13. The EMPr must be included in all contract documentation for all phases of the development.
14. Changes to the EMPr, which are environmentally defensible, shall be submitted to this Department for approval before such changes could be effected.
15. The Department reserves the right to amend the EMPr should any impacts that were not anticipated or covered in the BAR dated February 2014 be discovered.
16. The provisions of the approved EMPr including recommendations and mitigation measures in the BAR dated February 2014 and specialist studies shall be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.



Monitoring

17. 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.
 - 17.1. The ECO must be appointed before commencement of any authorised activities.
 - 17.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 17.3. The ECO must meet with the contractors to discuss the conditions of the EA and the contents of the EMPr prior to any site clearing occurring.
 - 17.4.
 - 17.5. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 17.6. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

Management of the activity

18. 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.
19. 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.
20. 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.
21. 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

22. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
23. 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.
24. 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

25. 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.

Reporting and reporting to the Department

Operation of the activity

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

Site closure and decommissioning

27. 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

28. A final walk down by the faunal, floral, heritage and avifaunal specialists must be undertaken, and be used to inform the final tower locations prior to commencement of construction.
29. 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. At all times the principles of search and rescue of species must be explored prior to destruction.
30. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
31. All construction activities and/or earthworks must be carried out within the limits of the authorised site.
32. Construction activities at the substation site must be contained within a demarcated area to prevent trampling of the estuary bank.
33. All areas disturbed during the construction phase must be rehabilitated and re-seeded with indigenous plants at the end of the construction phase.
34. Generation of dust must be minimised and dust control measures must be implemented.
35. Exposed soil and material stockpiles must be protected against the wind and water erosion.
36. Care must be taken not to negatively impact on the Milkwood Trees. Permits must be obtained from the Department of Agriculture, Fisheries and Forestry prior to removal / trimming of protected trees.
37. Both the temporal and spatial disturbance footprints of the construction process must be as compressed as far possible.
38. The potential fire hazards must be managed by ensuring that no fires are permitted on site and that the contractors must be aware of the consequences of starting fires on site to avoid damage to the neighbouring farms.
39. The applicant must obtain a Water Use Licence Authorisation (WULA) from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource. A copy of the WULA must be submitted to the *Director: Integrated Environmental Authorisations* of this Department for record keeping.
40. Anti-collision devices such as bird flappers must be installed where power line 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.

41. Eskom must ensure that all waste control and the location of fuel storage areas, hazardous materials (oils, chemicals, and cement), waste storage areas, ablution and latrines and any other potentially polluting activities are in bunded areas and are 100m away from wetlands, river or stream to avoid any pollution.
42. For the construction of the Substation, no construction activities must occur on the cliffs at Site C. For slope stability, it is important to leave all indigenous plants undisturbed.
43. Vegetation must be removed in a manner that allows the roots of bushes and shrubs to remain in the ground as far as possible so that there is a chance of re-growth. Appropriate methods of vegetation removal must be implemented.
44. Removal of vegetation must be undertaken in a manner that allow the roots of bushes and shrubs to remain behind to keep the soil consolidated as far as possible. There must be no disturbance to the soil by bulldozers or graders.
45. Rehabilitation must be done with locally occurring plants, particularly Fynbos.
46. Any bare ground areas of the substation that do not have hard infrastructure must be covered by suitable ground cover such as gravel or indigenous turf forming grass such as *Cynodon dactylon* to minimise soil erosion.
47. Once the vegetation has been cleared the operation of constructing the pylons and erecting the power lines must be undertaken as soon as possible afterwards and as quickly as possible within 2 years of the vegetation being removed so that the track can be revegetated and rehabilitated.
48. All cleared indigenous vegetation must be used to make mulch and applied in subsequent rehabilitation efforts. Rehabilitation of soil around pylons must take place as soon as possible after construction in that specific area has ceased.
49. No workers must be allowed between the end of the proposed track and the estuary.
50. There must be no access to or below the High Water Mark of the estuary and any areas off the proposed access routes.
51. The row of planted Camphor trees must be removed as soon as possible as these are alien invasive species that grow exceptionally large and may interfere with high voltage lines
52. Alien plants must be removed mechanically and herbicides only to be used at distances of greater than 32m from the estuary High Water Mark or near culverts or storm water drains. No alien species must be allowed to enters the culvert.
53. Cement and concrete mixing must not to be done within 32m of the High Water Mark or near the culvert and not to be done on permeable surfaces. This must only be undertaken at authorised sites determined suitable by botanist/ terrestrial ecologist to ensure that this does not get into storm water.

54. There must be no washing of vehicles and machinery within 32 m of High Water Mark or close to storm water drains, only at designated areas defined by the botanist/terrestrial ecologist.
55. No depositing of soil within 32m of the High Water Mark, this must only be done at authorised areas at least 32m from the High Water Mark as guided by a terrestrial botanist or ecologist.
56. All top soil (from the top 40 cm) excavated from within the pylon footprint must be stored carefully for later use in rehabilitation and not be mixed with any other materials.
57. All alien invasive plants in the servitude must be removed according to Working for Water guidelines on an annual basis. A management plan to ensure that no alien plants grow on the site after clearing of the soil should form part of the EMP. A rehabilitation strategy, with follow-up for at least two years after construction were completed, must also form part of the EMP.
58. ESKOM must develop a generic management plan specifically for Fynbos areas that are listed or endangered, that will ensure that sensitive Fynbos habitat survive in those areas. This needs to be initiated before construction can start in this area, and needs to be finalised within two years of development being completed.
59. 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

60. A copy of this authorisation and the approved EMP must be kept at the property where the activity/ will be undertaken. The authorisation and approved EMP 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.
61. 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.
62. 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: 02.06.14



Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance & Enforcement

Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the BAR dated February 2014;
- b) The comments received from the organs of state and interested and affected parties as included in the BAR dated February 2014;
- c) Mitigation measures as proposed in the BAR dated February 2014 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the BAR;
- e) Findings of the site visit conducted on 21 August 2013; and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project that the current 11kV will not adequately cater for the current and future demand in the wider Plettenberg Bay and the proposed project will provide security in this regard.
- c) The BAR dated February 2014 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated February 2014 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 BAR dated February 2014 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 February 2014 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.

2. The findings of all the specialist studies conducted

3. The need for the proposed project that the work

