



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 ·
Environment House · 473 Steve Biko Road,
Arcadia · PRETORIA
Tel (+27 12) 399 9372

DEA Reference: 14/12/16/3/3/1/1693

Enquiries: Thando Boo

Telephone: 012-399 9387 E-mail: TBooi@environment.gov.za

Mr Khathutshelo Nesindande
Eskom Holdings SOC Ltd
P.O. Box 3499
POLOKWANE
07000

Tel: 015 299 0033

E-mail: NesindKR@eskom.co.za

PER E-MAIL/ MAIL

Dear Mr Nesindande

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982 AND 983 FOR THE PROPOSED ESKOM RAMPHERI THABOMOPO NORTH PROJECT WITHIN THE POLOKWANE LOCAL MUNICIPALITY IN LIMPOPO PROVINCE

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 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appealsdirector@environment.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 15/05/2017

cc:	Susan Nel	Landscape Dynamics Environmental Consultants	Tel: 012 460 6063	Email: info@landscapedynamics.co.za
	Mr R Mashele	Limpopo Provincial Government: Department of Economic Development, Environment and Tourism(DEDET)	Tel: 015 290 7072	Email: masheler@ledet.gov.za
	Ms F Maboya	Polokwane Local Municipality	Tel: 015 290 2100	Email: bontlek@polokwane.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014

Eskom Rampheri-Thabamoopo North Project within Polokwane Local Municipality in the
Limpopo Province

Capricorn District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/1693</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Eskom SOC Ltd</i>
Location of activity:	<i>Limpopo Province: Within Wards 4, 7, 26, 27, 28, & 31 of Polokwane Local Municipality</i>

This environmental 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 environmental 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 No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

Eskom Holdings SOC Limited

with the following contact details –

Mr. Khathutshelo Nesindande

Eskom Holdings SOC Limited

P.O. Box 34999

POLOKWANE

0700

Tel: (015) 299 0033

Cell: (072) 256 0787

E-mail: NesindKR@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983):

Listed activities	Activity/Project description
<p><u>GN R. 983 Item 11</u> The development 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 kilovolts but less than 275 kilovolts; or</p> <p>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more</p>	<p>Approximately 23km of 132kV power lines, two substations and two new Customer Network Centres will be constructed.</p>
<p><u>GN R. 983 Item 27</u> The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan</p>	<p>The Rampheri Customer Network Centre (CNC) will be constructed on more than 1 hectare of land situated within old, cultivated fields that have gone back in part to bushveld. The new Syferkuil CNC and Substation as well as the new Unin Substation would involve the clearing of more than 1 hectare of vegetation.</p>
<p><u>GN R 983 item 31</u> The decommissioning of existing facilities, structures or infrastructure for-</p> <p>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014</p> <p>(iii) any development and related operation activity or activities and expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p>	<p>The existing Unin and Syferkuil Substation will be decommissioned once the new substations are the operations are in operation. This forms part of the infrastructure for the distribution of electricity via the new 132kV power line</p>

Listed activities	Activity/Project description
<p><i>(iv) any phased activity or activities for development and related operation activity or expansion or related operation activities listed in this Notice or Listing Notice 3 of 2014;</i></p> <p><i>(v) any activity regardless the time the activity was commenced with, where such activity:</i></p> <p><i>(a) is similarly listed to an activity in (i), (ii), (iii), or (iv) above; and</i></p> <p><i>(b) is still in operation or development is still in progress; excluding where-</i></p> <p><i>(aa) activity 22 of this notice applies; or</i></p> <p><i>(bb) the decommissioning is covered by part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.</i></p>	

as described in the Basic Assessment Report (BAR) dated January 2017 at:

21 Digit SG code:

FARM NUMBER AND PORTION	SG 21 Digit Codes
Portion 0 of the Farm Laastehoop 1050 LS	TOLS 0000 00001050 00000
Portion 0 of the farm Zamenloop 188 LS	TOLS 0000 00000188 00000
Portion 1 of the Farm Laastehoop 1054 LS	TOLS 0000 00001054 00001
Portion 0 of the Farm Dirkvrouw 1052 LS	TOLS 0000 00001052 00000
Portion 1 of the Farm Dirkvrouw 1052 LS	TOLS 0000 00001052 00001
Portion 2 of the Farm Dirkvrouw 1052 L	TOLS 0000 00001052 00002
Portion 0 of the Farm Middelkop 1053 LS	TOLS 0000 00001053 00000
Portion 14 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00014
Portion 17 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00017
Portion 13 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00013
Portion 12 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00012

Portion 10 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00010
Portion 9 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00009
Portion 6 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00006
Portion 5 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00005
Portion 4 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00004
Portion 11 of the Farm Rietfontein 1003 LS	TOLS 0000 00001003 00011
Portion 0 of the Farm Veerfontein 1004 LS	TOLS 0000 00001004 00000
Portion 0 of the Farm Turloop 987 LS	TOLS 0000 00000987 00000
Portion 0 of the Farm Middelkop 1053 LS	TOLS 0000 00001053 00000
Portion 0 of the Farm Laaste hoop 1050 LS	TOLS 0000 00001050 00000
Portion 2 of the Farm Turloop 987 LS	TOLS 0000 00000987 00002
Portion 0 of the University of the North 1051 LS	TOLS 0000 00001051 00000
Portion 2 of the University of the North 1051 LS	TOLS 0000 00001051 00002
Portion 5 of the Farm Syferkuil 921 LS	TOLS 0000 00000921 00005
Portion 17 of the Farm Syferkuil 921 LS	TOLS 0000 00000921 00017
Portion 24 of the Farm Syferkuil 921 LS	TOLS 0000 00000921 00024
Portion 0 of the Farm Mankweng C Erf 1254	TOLS 0000 00001254 00000
Portion 1 of the Farm Mankweng C Erf 1254	TOLS 0000 00001254 00001
Portion 1 of the Farm Turloop 987 LS	TOLS 0000 00000987 00001

Powerline corridor	Latitude	Longitude
Starting point of activity	24°01 '25.09"S	29°43 '51.89"E
Middle point of activity	23°57'00.30"S	29°44' .50.16"E
End point of activity	23°53.'28.53"S	29°42'10.30"E

- for the construction of the Eskom Rampheri-Thabamoopo north project within Wards 4,7,26,27,28 and 31 of Polokwane Local Municipality in the Limpopo Province, hereafter referred to as" the property"

The project entails the following:

- A 132 kV power line of approximately 23km from the future Rampheri Substation to the existing Thabamopo North Substation.
- Construction of a new 132kV Unin Substation adjacent to the existing Unin Substation (to be extended by approximately 1.2 hectares) and the decommissioning of the existing Unin 33 kV Substation.
- A Loop in-Loop out power line of less than 200m to the proposed 132 kV Unin Substation
- Proposed new Syferkuil Substation.
- Decommissioning of the existing Syferkuil Substation.
- A Loop in –loop out of less than 200m to the proposed new Syferkuil Substation.
- The decommissioning of the existing line 33 kV line between Syferkuil and Thabamopo North Substations.
- A customer Network Centre close to Rampheri Substation.
- A customer Network Centre close to the proposed Syferkuil Substation.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred 1km corridor for the proposed Eskom Rampheri-Thabamopo north project within Wards 4, 7, 26, 27, 28 and 31 of Polokwane Local Municipality in the Limpopo Province is approved as per the geographic coordinates indicated above.
2. Authorisation of the activity is subject to the conditions contained in this environmental 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 environmental 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 environmental authorisation in terms of the regulations.

6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this environmental 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.
8. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

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 14 (fourteen) 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 the National Appeal Regulations, 2014;
 - 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.

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014 and no appeal has been lodged against the decision. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

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 strictly adhered to.

Frequency and process of updating the EMPr

13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 22 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
16. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

Monitoring

18. The holder of the authorisation must appoint an 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

environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

- 18.1. The ECO must be appointed before commencement of any authorised activities.
- 18.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
- 18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 18.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

19. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
 20. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
 21. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
 22. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
 23. The environmental audit reports must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and 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 approved EMPr.
-

24. 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.

Notification to authorities

25. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

26. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

27. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

Specific conditions

28. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
29. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
30. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated January 2017 must be implemented to reduce the risk of erosion and the invasion of alien species.
31. A final walk-through with an ecological specialist must be undertaken to fine tune the final line alignment and pylons positions for the power lines to avoid sensitive areas and protected trees. The findings of the walk-through must be submitted to the Department for review and approval.
-

32. All granite koppies must be viewed as No-Go area and must not be impacted on during construction phase.
33. 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 must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

34. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 34.1. at the site of the authorised activity;
 - 34.2. to anyone on request; and
 - 34.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
35. 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 holder of the authorisation or his/her 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 holder of the authorisation 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: 15/05/2017


Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the BAR dated January 2017;
- b) The comments received from Limpopo Provincial Department: Economic Development, Environment and Tourism and interested and affected parties as included in the BAR dated January 2017;
- c) Mitigation measures as proposed in the BAR dated January 2017 and the EMPR.
- d) The information contained in the specialist studies contained within Appendix D of the BAR; and
- 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).

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 proposed project will provide the area with a long term electricity solution and will accommodate the expected increase in electricity demand, improve the network performance in the area and reduce the frequency of supply interruptions in the area.
- c) The BAR dated January 2017 identified all legislations and guidelines that have been considered in the preparation of the BAR dated January 2017.
- d) The methodology used in assessing the potential impacts identified in the BAR dated January 2017 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, 2014 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 January 2017 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) 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 phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities 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 authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.