



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/424/AM2

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Ms Martina Nailana
Eskom Holdings SOC Limited
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PER EMAIL / MAIL

Dear Ms Nailana

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 01 SEPTEMBER 2016 FOR THE PROPOSED ESTABLISHMENT OF A NEW 400/132kV MTS WITH AN EXPECTED DEVELOPMENT FOOT PRINT OF APPROXIMATELY 600M X 600M AND LOOP IN – LOOP OUT POWER LINES WITH A LENGTH IN THE REGION OF 1.8 KM – 4 KM UNDER THE JURISDICTION OF THE GEORGE LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 01 September 2016, an amendment for an application to the EA received by the Department on 12 October 2016 and approved on 09 November 2016, an appeal submitted on behalf of the appellant on 21 October 2016, the Ministers Appeal Decision dated 15 May 2017, and your request for amendment to the EA received by this Department on 23 June 2017 as acknowledged on 29 June 2017 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended has decided to amend the EA dated 01 September 2016 as follows:

Amendment 1: Amendment to the extend validity period of the EA

The activity must commence within a period of five (05) years from the date of expiry of the EA issued on 01 September 2016 (i.e. the EA lapses on 01 September 2024). 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. The correspondence is only for the extension of the validity period as stated herein above and all conditions set out in the original Environmental Authorisation dated 01 September 2016 remain unchanged and must be adhered to.

Reasons for the above amendment are as follows:

- The EA was erroneously issued with a 3 year validity period.
- A 3 year period is not sufficient for the implementation/ commencement of this project.
- Eskom needs to negotiate with affected landowners, and finalise the construction Environmental Management Programme with input from the specialists once the final walk down of the approved power line route is undertaken.
- This will take time in terms of appointments, compilation, and implementation, and therefore additional time is required.
- The additional time is also required to ensure that all relevant permits are in place in order for construction to commence.

This proposed amendment letter must be read in conjunction with the EA dated 01 September 2016.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), as amended 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: 03/08/2019

cc	Ms N Ritsch	GIBB (Pty)	Tel:(021) 469 9159	Email:nritsch@gibb.co.za
	Ms M Phiri	Eskom Holdings SOC Limited	Tel :(011) 800 3550	Email:PhiriM@eskom.co.za