



## Environmental Authorisation

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

Haasfontein 88kV Switching Station and loop-in-loop-out power line between the existing Kudu-

Halfgewonnen South 88kV power line and the Haasfontein 88kV Switching Station within the

Emalahleni and Steve Tshwete Local Municipalities in Mpumalanga Province

Nkangala District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/1411
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	ESKOM HOLDINGS SOC LIMITED
<b>Location of activity:</b>	MPUMALANGA PROVINCE: Within Emalahleni and Steve Tshwete Local Municipalities

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**

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Ms Angelina Shalang

Eskom Holdings SOC Limited

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

<b>Listed activities</b>	<b>Activity/Project description</b>
<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 but less than 275 kilovolts</p>	<p>Construction of an 88kV loop-in-loop-out power line from Kudu-Halfgewonnen South to the Haasfontein 88kV switching station; an 88kV line form the Haasfontein 88kV Switching Station to the Geluk-Van Dyks Drift Traction Station; an 88kV line from the Komati MTS Tee Line; an 88kV line from the Kudu-Halfgewonnen 88kV feeder bay to the Kudu-Halfgewonnen south 88kV line; an 88kV double-circuit line to reconnect a section of the 2 x 88kV Kromklip Tee to Van Dyks Coll Tee lines.</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>Construction of the Haasfontein 88kV switching station on a site of 100m x 100m.</p>
<p><u>GN R. 983 Item 31:</u> The decommissioning of existing facilities, structures or infrastructure or infrastructure for-</p> <p>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>excluding where-</p> <p>(aa) activity 22 of this notice applies; or</p> <p>(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.</p>	<p>Dismantle the 9.5km 2 x 88kV power lines from Kromklip Tee to Van Dyks Coll Tee station.</p>

*MJ*

as described in the Basic Assessment Report (BAR) dated 25 May 2015 at:

Farm Name: 56 IS Remainder; Goedehoop 46 IS Portion 3 (Remaining Extent) and Portion 6; Geluk 26 IS Portion 7; Koorfontein 27 IS Portion 3; Kromfontein 30 IS; Steenkoolspruit 18 IS and Van Dyksdriif 19 IS.

21 Digit SG code:

T	0	1	S	0	0	0	0	0	0	0	0	0	0	5	6	0	0	0	0	0
T	0	1	S	0	0	0	0	0	0	0	0	0	4	4	6	0	0	0	0	3
T	0	1	S	0	0	0	0	0	0	0	0	4	6	0	0	0	0	0	6	6
T	0	1	S	0	0	0	0	0	0	0	0	2	6	0	0	0	0	0	7	7
T	0	1	S	0	0	0	0	0	0	0	0	2	7	0	0	0	0	0	3	3
T	0	1	S	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0
T	0	1	S	0	0	0	0	0	0	0	0	1	8	0	0	0	0	0	0	0
T	0	1	S	0	0	0	0	0	0	0	0	1	9	0	0	0	0	0	0	0

<b>Powerline corridor: The 88kV line from the Haasfontein Switching Station to the Geluk-van Dyks drift Traction Tee line</b>	<b>Latitude</b>	<b>Longitude</b>
Starting point of activity	26°6 '31.74"S	29°28 '19.66"E
Middle point of activity	26°6 '38.29"S	29°27 '36.33"E
End point of activity	26°6 '16.35"S	29°27 '7.41"E
<b>Powerline corridor: Construct an 88kV Chickadee power line from the Komati MTS 88kV Feeder Bay to the Kudu-Halfgewonnen South 88kV power line.</b>	<b>Latitude</b>	<b>Longitude</b>
Starting point of activity	26°5 '36.78"S	29°28 '24.88"E
Middle point of activity	26°5 '37.34"S	29°28 '24.60"E
End point of activity	26°5 '38.01"S	29°28'24.23"E
<b>Haasfontein Switching Station Alternative 1</b>	<b>Latitude</b>	<b>Longitude</b>
Haasfontein Switching Station	26° 6' 35.23"S	29° 28' 17.76"E

- for the proposed Haasfontein 88kV Switching Station and loop-in-loop-out power line between the existing Kudu-Halfgewonnen south 88kV power line and the Haasfontein 88kV Switching Station within Emalaheni and Steve Tshwete Local Municipalities in Mpumalanga Province, hereafter referred to as “the property”.

The infrastructure associated with this facility includes:

- Construction of an 88kV Chickadee power line from the Komati MTS 88kV Feeder Bay to the Kudu-Halfgewonnen South 88kV power line.
- Construction of the Haasfontein 88kV Switching Station with 3 X 88kV feeder bays on site of 100m X 100m.
- Construction of an 88kV loop-in-loop-out power line between the existing Kudu-Halfgewonnen South 88kV power lines to the new Haasfontein 88kV Switching Station.
- Construction of an 88kV power line from the new Haasfontein 88kV Switching Station to the Geluk-Van Dyks Drift Traction Tee line.
- Dismantling the 9.5km 2 X 88kV power lines from Kromklip Tee to Van Dyks Coll Tee Station.
- Temporary deviation of an 88kV double-circuit line to reconnect a section of the 2 X 88kV Kromklip Tee to Van Dyks Coll Tee lines.

## **Conditions of this Environmental Authorisation**

### **Scope of authorisation**

1. The power line route corridors and Switching Station Alternative 1 for proposed Haasfontein 88kV Switching Station and loop-in-loop-out power line between the existing Kudu-Halfgewonnen South 88kV power line and the Haasfontein 88kV Switching Station within the Emalaheni and Steve Tshwete Local Municipalities in Mpumalanga Province is approved as per the geographic coordinates 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 must 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. Construction must be completed within 5 years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.
10. 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 must not commence with the activity until such time that the appeal has been finalised.

#### **Notification of authorisation and right to appeal**

11. 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.
12. The notification referred to must –
  - 12.1. specify the date on which the authorisation was issued;
  - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;

- 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
- 12.4. give the reasons of the competent authority for the decision.
13. The holder of the authorisation must publish a notice –
  - 13.1. informing interested and affected parties of the decision;
  - 13.2. informing interested and affected parties where the decision can be accessed; and
  - 13.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

#### **Commencement of the activity**

14. The authorised activity must not commence within twenty (20) days of the date of signature of the authorisation.

#### **Management of the activity**

15. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and adhered to.

#### **Frequency and process of updating the EMPr**

16. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. 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.
19. 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.
20. 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**

21. The holder of the authorisation must appoint an experienced 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.
- 21.1. The ECO must be appointed before commencement of any authorised activities.
- 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 21.4. 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**

22. 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.
23. 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.



24. 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.
25. 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.
26. 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.
27. 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**

28. 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. This notification period may coincide with the notice of intent to appeal period.

#### **Operation of the activity**

29. 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**

30. 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**

31. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
32. Anti-collision devices such as bird flappers must be installed where the power line crosses avifaunal corridors, between and within valleys as well as along the ridges.
33. The power lines must be fitted with bird's perches.
34. Adequate environmental awareness training of the workers must be done to ensure minimisation of environmental impacts.
35. Drip trays must be placed under generators when in use.
36. All disturbed areas must be rehabilitated with plants that are indigenous to the immediate surroundings.
37. 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**

38. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 38.1. at the site of the authorised activity;
  - 38.2. to anyone on request; and
  - 38.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
39. 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:** 23/09/2015

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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 25 May 2015;
- b) The comments received from Department of Agriculture & Environmental Affairs and interested and affected parties as included in the BAR dated 25 May 2015;
- c) Mitigation measures as proposed in the BAR dated 25 May 2015 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 need for the proposed project was well explained and the Department taken the need of the project into consideration.
- c) The BAR dated 25 May 2015 identified all legislation and guidelines that have been considered in the preparation of the BAR dated 25 May 2015.
- d) The methodology used in assessing the potential impacts identified in the BAR dated 25 May 2015 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 25 May 2015 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 25 May 2015 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 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.