



## environmental affairs

Department  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/1/1856

Enquiries: Ms Zamalanga Langa

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Andrea Van Gensen  
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P O Box 606  
KIMBERLY  
8301

Tel no: 053 830 5775

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### PER E-MAIL / MAIL

Dear Andrea Van Gesen

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION (EA) IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA), 1998: GN R. 982/983/985: PROPOSED CONSTRUCTION OF A 132KV OLIFANTSHOEK SUBSTATION IN THE GAMAGARA LOCAL MUNICIPALITY, NORTHERN 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 4(2) of the Environmental Impact Assessment (EIA) Regulations, 2014 (the Regulations), as amended you are instructed to notify all registered interested and affected parties (I&APs), in writing and within 14 (fourteen) days of the date of the Environmental Authorisation, 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](mailto: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 (NEMA), 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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director, Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 15/03/2018

CC:	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Tel: 012 993 0756/7	Email: <a href="mailto:joanne@savannahsa.com">joanne@savannahsa.com</a>
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## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014 (as amended)

Construction of a 132/11 kV Olifantshoek Substation, Gamagara Local Municipality in the Northern Cape

John Taolo Gaetsewe District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/1856
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>ESKOM HOLDINGS SOC LIMITED</i>
<b>Location of activity:</b>	<i>NORTHERN CAPE PROVINCE: within ward 3 and ward 4, Gamagara 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.

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## 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 Environmental Impact Assessment 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, as amended, the Department hereby authorises –

### **ESKOM HOLDINGS SOC LIMITED**

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

with the following contact details –

Andrea van Gensen  
Eskom Holdings SOC Limited  
P O Box 606  
**KIMBERLEY**  
8301

Tel no: 053 830 5775

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

Fax: 086 539 5177

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notice 1 and 2 (as amended):

Listed activities	Activity/Project description
<p><b><u>GN R. 983: Activity 27</u></b></p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.</i></p>	<p>The construction of the 132kV Olifantshoek Substation will be less than 20ha of indigenous vegetation.</p>
<p><b><u>GN R. 985: Activity 4</u></b></p> <p><i>The development of a road wider than 4 meters with a reserve less than 13.5 meters in</i></p> <p><i>(g) the Northern Cape</i></p> <p><i>(iii) inside urban areas and within</i></p> <p><i>(aa) areas zoned for use as public open space</i></p>	<p>The construction of the 132/11kV Olifantshoek Substation will require the development of access roads with a width of 5m inside the urban edge of Olifantshoek which is zoned as open space.</p>
<p><b><u>GN R. 985: Activity 10</u></b></p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic meters in</i></p> <p><i>(g) the Northern Cape</i></p> <p><i>(iv) inside urban areas and within</i></p> <p><i>(aa) areas zoned for use as public open space.</i></p>	<p>The construction and operation of the 132/11kV Olifantshoek Substation will require the storage of more than 30 cubic meters of oils and fuels within the urban edge of Olifantshoek which is zoned as open space.</p>
<p><b><u>GN R. 985: Activity 12</u></b></p> <p><i>The clearance of an area of 300 square meters or more of indigenous vegetation in:</i></p> <p><i>(g) the Northern Cape</i></p> <p><i>(iv) on land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</i></p>	<p>The construction of the new 132/11kV Olifantshoek Substation will require the removal of 1ha of indigenous vegetation. The alternative substation locations are both located within an area zoned as open space.</p>

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

**Farm Name (Preferred site):** Portion 1 of Farm Neylan 574

**21 Digit SG code (Preferred site):**

C	0	4	1	0	0	0	0	0	0	0	0	0	0	5	4	7	0	0	0	0	1
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Site Alternative	Latitude	Longitude
Preferred Substation	27° 56' 11.26" S	22° 44' 28.96" E

the location indicated in the locality plan, attached as Annexure 2 of this authorisation.

The construction of 132kV Olifantshoek Substation within the Gamagara Local Municipalities in the Northern Cape Province, hereafter referred to as "the property".

The Proposed project includes the following:

- A new 10MVA 132/11kV Olifantshoek Substation (approximately 100m x 100m in extent) and ancillaries (including a metering station, control building, admin building, workshop and associated infrastructure). Access roads of 5m in width will also be established.
- Decommissioning of the existing 22/11kV 2.5MVA Olifantshoek Substation including all site rehabilitation.

Technical details of the substation components:

Project Component	Specification
Mega Volt Ampere	10
Size of Substation	71m x 49m within a footprint of 100m x 100m
Distance between equipment	9m
Number of the transformers	One 10MVA transformer
Access roads	5m wide access roads

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## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred Olifantshoek substation site and the preferred design alternative 1 within ward 3 and 4 Gamagara Local Municipalities in the Northern Cape Province is approved as per the geographic coordinates and 21 Digit SG codes cited at the table reflected in page 4 above of the Environmental Authorisation.
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. Construction must be completed within Six (06) 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.

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

10. 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.
11. The notification referred to must –
  - 11.1. specify the date on which the authorisation was issued;
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 11.4. provide the reasons of the competent authority for the decision.

### **Commencement of the activity**

12. 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**

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

### **Frequency and process of updating the Environmental Management Programme**

14. The Environmental Management Programme 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 Environmental Management Programme.



15. The updated Environmental Management Programme must contain shortcomings identified in the environmental audit report.
16. The updated Environmental Management Programme must be approved together with the environmental audit report, as amended. The updated Environmental Management Programme must be developed through a public participation process, which process has been agreed to in the submission of the updated Environmental Management Programme.
17. In assessing whether to grant approval of an Environmental Management Programme, the Department will be updated as a result of an audit, the Department will consider Regulation 35 of GN R.982, as amended. Prior to granting approval of an Environmental Management Programme, the Department may request the holder of the Environmental Management Programme as it deems appropriate to ensure the Environmental Management Programme sufficiently provides for avoidance, management and mitigation of the impacts associated with the undertaking of the activity.
18. The holder of the authorisation may apply for an amendment to the Environmental Management Programme, if such amendment is required before an amendment to the Environmental Management Programme. The holder must notify the Department of its intention to amend the Environmental Management Programme prior to submitting such amendments to the Department for approval. In assessing whether to grant approval of an amendment to the Environmental Management Programme, the Department will consider the processes and requirements prescribed in the Environmental Management Programme.

### Monitoring

19. The holder of the authorisation must appoint an Environmental Control Officer (ECO) for the construction phase of the development. The holder must ensure that the mitigation/rehabilitation measures and conditions of the authorisation are implemented and to ensure compliance with the Environmental Management Programme.
- 19.1. The Environmental Control Officer must be appointed before the commencement of activities.
- 19.2. Once appointed, the name and contact details of the Environmental Control Officer must be submitted to the Director:  
Directorcompliance@environment.gov.za

15. The updated Environmental Management Programme must contain recommendations to rectify the shortcomings identified in the environmental audit report.
16. The updated Environmental Management Programme must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982, as amended. The updated Environmental Management Programme must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated Environmental Management Programme to the Department for approval.
17. In assessing whether to grant approval of an Environmental Management Programme which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982, as amended. Prior to approving an amended Environmental Management Programme, the Department may request such amendments to the Environmental Management Programme as it deems appropriate to ensure that the Environmental Management Programme sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
18. The holder of the authorisation may apply for an amendment of an Environmental Management Programme, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the Environmental Management Programme at least 60 days prior to submitting such amendments to the Environmental Management Programme 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, as amended.

### **Monitoring**

19. 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 Environmental Management Programme.
  - 19.1. The Environmental Control Officer must be appointed before commencement of any authorised activities.
  - 19.2. Once appointed, the name and contact details of the Environmental Control Officer must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).

## 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 Basic Assessment Report dated January 2018;
- b) The comments received from SAHRA, Gamagara Local Municipality, SANRAL, Department of Water and Sanitation, Openseve, Telkom, and interested and affected parties as included in the Basic Assessment Report dated January 2018;
- c) Mitigation measures as proposed in the Basic Assessment Report dated January 2018 and the Environmental Management Programme;
- d) The information contained in the specialist studies contained within Appendix D of the Basic Assessment Report; 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 this project is based on the requirement to replace the current substation in Olifantshoek, which has reached its economic end, with a substation of a greater Mega Volt Ampere to accommodate a stronger power line for the distribution of power to the town of Olifantshoek. Currently Olifantshoek has a very poor electrification output to meet the basic needs for socio-economic development and upliftment in the area. In a broader sense, the proposed project may support various Renewable Energy Independent Power Producer Procurement (REIPPP) Programme projects requiring a strong grid connection.
- c) The Basic Assessment Report dated January 2018 identified all legislation and guidelines that have been considered in the preparation of the Basic Assessment Report dated January 2018.

- d) The methodology used in assessing the potential impacts identified in the Basic Assessment Report dated January 2018 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 Environmental Impact Assessment Regulations, 2014, as amended for public involvement.

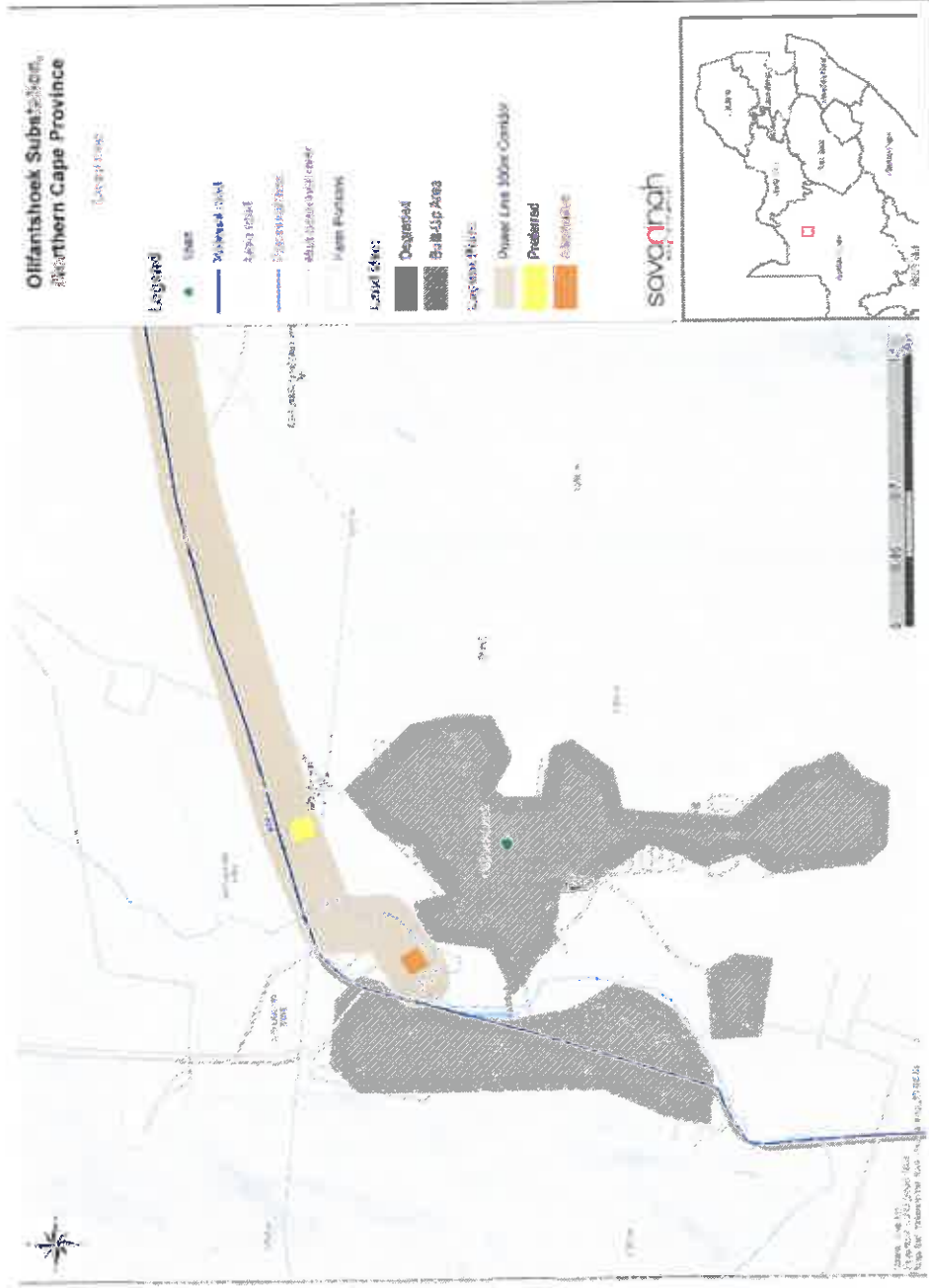
### 3. Findings

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 Basic Assessment Report dated January 2018 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 Basic Assessment Report dated January 2018 is accurate and credible.
- e) Environmental Management Programme measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the Basic Assessment Report 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.

## Annexure 2: Locality Plan



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