



## **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:** 14/12/16/3/3/1/2099

**Enquiries:** Ms Thulisile Nyalunga

**Telephone:** 012-399 9405 **E-mail:** [tnyalunga@environment.gov.za](mailto:tnyalunga@environment.gov.za)

Mr Khathutshelo Nesindande  
Eskom Holdings SOC Limited  
PO Box 3499  
**POLOKWANE**  
0700

Tel: (015) 299 0033

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

**PER E-MAIL / MAIL**

Dear Mr Nesindande

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/984, AS AMENDED: THE CONSTRUCTION OF ±52KM 132KV POWERLINE, 4 TRACTION SUBSTATIONS AND ASSOCIATED INFRASTRUCTURE FOR THE ESKOM TRANSNET FREIGHT RAIL PROJECT BETWEEN LIPHALALE AND THABAZIMBI 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, as amended (the EIA 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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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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:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@environment.gov.za](mailto:appeals@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, Act No. 107 of 1998, as amended, 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 [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully

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

Date: 08/06/2020

CC:	Susanna Nel	Landscape Dynamics Environmental Consultants	Tel: 012 460 6043	Email: <a href="mailto:susanna@landscapedynamics.co.za">susanna@landscapedynamics.co.za</a>
	Annelize Grobler	Landscape Dynamics Environmental Consultants	Tel: 012 460 6043	Email: <a href="mailto:agrobler@landscapedynamics.co.za">agrobler@landscapedynamics.co.za</a>
	Victor Mongwe	The Limpopo Department of Economic Development, Environment and Tourism	Tel: 015 290 1790/ 015 293 8300	Email: <a href="mailto:mongwev@ledet.gov.za">mongwev@ledet.gov.za</a>
	Mr Maluleka/ Elizabeth Kelly	The Waterberg District Municipality	Tel: 014 718-3300	Email: <a href="mailto:ekelly@Waterberg.gov.za">ekelly@Waterberg.gov.za</a>





**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation

In terms of Regulation 20 and 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The construction of ±52km 132kV Powerline, 4 Traction Substations and associated infrastructure for the Eskom Transnet Freight Rail Project in Limpopo Province.

Lephalale and Thabazimbi Local Municipalities

Waterberg District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2099
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Eskom Holdings SOC Limited
<b>Location of activity:</b>	Ward 3; Thabazimbi Local Municipality: Wards 1 & 2 Lephalale Local Municipality Waterberg District Municipality

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, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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, Act No. 107 of 1998, as amended 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 –

Mr Khathutshelo Nesindande  
Eskom Holdings SOC Limited

PO Box 3499

**POLOKWANE**

0700

Tel: 015 299 0033

Cell: 061 411 7509

Email: [Nesindkr@eskom.co.za](mailto:Nesindkr@eskom.co.za)

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice (LN) 1, 2 and 3 of the 2014 EIA Regulations, as amended:

Listed activities	Activity/Project description
<p><b><u>Item 11 of LN 1:</u></b>  <i>"The development of facilities or infrastructure for the transmission and distribution of electricity (i) Outside urban areas of industrial complexes with a capacity of more than 33kV but less than 275 kilovolts"</i></p>	<p>The proposed development site is situated on agricultural land west of the town of Lephalale towards farm land north of Thabazimbi. 132kV structures are applicable to this project.</p>
<p><b><u>Item 27 of LN 1:</u></b>  <i>"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 (i) the undertaking of a linear activity ; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan"</i></p>	<p>The total affected area of the four traction station sites will each be 150m x 200m (3 hectares) which would be cleared.</p>
<p><b><u>Item 28 of LN 1:</u></b>  <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes"</i></p>	<p>The traction stations will be constructed on agriculture land in areas bigger than 1 hectares.</p>
<p><b><u>Item 3 of LN 3</u></b>  <i>"The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the masts or tower</i></p>	<p>According to the South African National Biodiversity Institute (SANBI) database the following project sites where a</p>

Listed activities	Activity/Project description
<p>(b) will exceed 15 metres in height                      (e) Limpopo                      (i) Outside urban areas in                      (ee) Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; and                      (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any protected areas identified in terms of NEMPAA or from core areas of a biosphere or reserve"</p>	<p>telecommunication mast of approximately 50m in height is required fall within areas described as Critical Biodiversity Areas (CBA ) 1 and/or 2 • Lephale Traction Station</p> <ul style="list-style-type: none"> <li>• Diepspruit Traction Station</li> <li>• Marakele Traction Station</li> <li>• Matalabas Traction Station</li> </ul> <p>The proposed Marakele Traction Station which requires a telecommunication mast of 50m in height is situated approximately 3km west of the Marakale National Park.</p>
<p><b>Item 12 of LN 3</b>  <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan in (e) Limpopo (ii) within Critical Biodiversity Areas identified in bioregional plans"</i></p>	<p>The total affected area of the four traction station sites will each be 150m x 200m (3 hectares) which would be cleared. Furthermore, selective clearing for construction and maintenance purposes would also be required within the servitude areas of the proposed powerline routes.</p>

As described in the BAR dated February 2020 at:

Farm Names and Portion and 21 SG Digit Code:

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<b>AFFECTED PROPERTIES</b>	<b>SG CODE</b>
Portion 1 of Naauw Ontkomen 509-LQ	TOLQ 0001 00000509 00001
Portion 0 of the farm Kuipersbult 511-LQ	TOLQ 0001 00000511 00000
Portion 1 of the farm Kuipersbult 511-LQ	TOLQ 0001 00000511 00001
Kromdraai 690-LQ	TOLQ 0001 00000690 00000
Eenzaamheid 687-LQ	TOLQ 0000 00000687 00000
Vergulde Helm 321-LQ,	TOLQ 0001 00000321 00000
Buffelsjagt 317-LQ,	TOLQ 0001 00000317 00000
Pontes Estates 712-LQ	TOLQ 0001 00000712 00000
Enkeldraai 314-LQ	TOLQ 0001 00000314 00000
Portion 1 of Geelhoutskloof 717-LQ,	TOLQ 0001 00000717 00001
The Remaining Extent Geelhoutskloof 717-LQ	TOLQ 0001 00000717 00000
Portion 1 of the farm Zandnek 358-LQ	TOLQ 0001 00000358 00001
Portion 2 of the farm Loopleegte 302	TOLQ 0000 00000302 00002
Zandbult 300-LQ	TOLQ 0001 00000300 00000
Portion 2 of the farm Vangpan 294-LQ	TOLQ 0001 00000294 00002
Remainder of the farm Vangpan 294-LQ	TOLQ 0001 00000294 00000
<b>Lephalale Traction Station</b> Kromdraai 690-LQ	TOLQ 0001 00000690 00000
<b>Diepspruit Traction Station</b> Diepspruit 386-LQ, Owner	TOLQ 0001 00000386 00000
<b>Matlabas Traction Station</b> Portion 1 of Matsulan 98-KQ	TOKQ 0003 00000098 00001
<b>Marikele Traction Station</b> o Portion 2 Hartebeestbult 314-KQ	TOKQ 0003 00000314 00002

**Final Power line Route**

<b>Loop-in</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Description</b>
Starting point	23° 42' 17.93" S	27° 34' 13.27" E	Medupi
Mid-point	27° 27' 2.91" E	23° 43' 53.39" S	
End point	27° 19' 20.25" E	23° 41' 15.25" S	

Loop out	Latitude	Longitude	Description
Starting point	27° 19' 19.00" E	23° 41' 16.02" S	Theunispan
Mid-point	27° 25' 26.91" E	23° 42' 32.81" S	
End point	27° 25' 3.31" E	23° 46' 23.43" S	T-off



**Matlabas Loop-In Loop-Out**

Loop In	Latitude	Longitude	Description
Starting point	27° 26' 21.51" E	23° 13' 19.84" S	T-off (North)
Mid-point	27° 26' 46.42" E	23° 13' 11.34" S	
End point	27° 27' 4.84" E	23° 13' 16.33" S	Matlabas Traction Sub

Loop out	Latitude	Longitude	Description
Starting point	27° 27' 4.78" E	23° 13' 15.41" S	Matlabas Traction Sub
Mid-point	27° 26' 54.87" E	23° 13' 9.21" S	
End point	27° 26' 21.58" E	23° 13' 20.35" S	T-off (South)

**Marakele Loop In-Loop-Out**

Loop-in	Latitude	Longitude	Description
Starting point	27° 26' 7.64" S	24° 29' 10.237" E	T-off – South
Mid-point	27° 26' 26.58" E	24° 29' 2.83" S	
End point	27° 26' 49.67" E	24° 28' 52.04" S	Marakele Traction Sub

Loop out	Latitude	Longitude	Description
Starting point	27° 26' 49.73" E	24° 28' 51.53" S	Marakele Traction Sub
Mid-point	27° 26' 26.54" E	24° 29' 2.16" S	
End point	27° 26' 7.78" E	24° 29' 9.40" S	T-off - North

**Diepspruit Loop-In Loop- Out**

Loop-in	Latitude	Longitude	Description
Starting point	27° 23' 10.86" S	23° 57' 3.16" E	T-off – North
Mid-point	27° 23' 26.30" E	23° 57' 11.09" S	
End point	27° 23' 37.22" E	23° 57' 19.58" S	Diepspruit Traction Sub

Loop out	Latitude	Longitude	Description
Starting point	27° 23' 37.13" E	23° 57' 19.32" S	Diepspruit Traction Sub
Mid-point	27° 23' 34.09" E	23° 57' 15.43" S	
End point	27° 23' 10.88" E	23° 57' 3.63" S	T-off - South

Centre point coordinates of the final preferred Traction Stations (the coordinates associated with the loop-in loop out lines.)

Traction station	Latitude	Longitude
Lephalale Traction Station	23°43'25.82"S	27°31'14.56"E
Diepspruit Traction Station	23°57'22.21"S	27°23'34.80"E
Matlabas Traction Station	24°13'17.97"S	27°27'2.96"E
Marakele Traction Station	24°28'50.93"S	27°26'51.31"E

- for the construction of approximately ±52km 132kV Powerline, 4 Traction Substations and associated infrastructure for the Eskom Transnet Freight Rail Project between Lephalale and Thabazimbi in Limpopo Province

The project entails the construction of

- 4 x 132kV Traction Stations (Lephalale, Diepspruit, Matlabas and Marekele)
- 4x communication towers (1x tower at each traction station)
- Approximately 6km 132kV line from Medupi to proposed Lephalale Traction Station
- Approximately 23km 132kV line from Lephalale Traction Station to existing Theunispan Substation
- Approximately 23km 132kV line from Theunispan Substation to Theunispan T-off
- 3 x 132kV line bays at Theunispan Substation

Loop in-out the 132kV traction stations as follows:

- Lephalale Traction – 2 x 40 m 132kV lines from the new Medupi Theunispan line
- Diepspruit Traction – 2 x 1 km 132kV lines from the existing Medupi Thabazimbi line
- Matlabas Traction – 2 x 1 km 132kV lines from the existing Medupi Thabazimbi line
- Marekele Traction – 2 x 2.5 km 132kV Lines from the existing Medupi Thabazimbi line.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred powerline route for the Medupi - Theunispan powerline runs south and west of Medupi Power Station near Lephalale to just north of Thabazimbi in the Limpopo Province. The preferred routes are Lephalale Traction SS Alternative 3, Diepspruit Traction SS Alternative 3, Matlaba Traction SS Alternative 3 and Marekele Traction SS Alternative 2 which fall within both the Lephalale and Thabazimbi Local Municipalities within the boundaries of the Waterberg District Municipality are **approved** as per the geographic coordinates cited in the table 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 ten (10) 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 five (05) 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. give 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, Act No. 107 of 1998, as amended 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 EA is hereby approved. This EMPr must be implemented and strictly adhered to.

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

14. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 20 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.
15. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
  16. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. 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.
  17. 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 R982 of 04 December 2014, as amended. 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.
  18. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, 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 EMPr.
  - 19.1. The ECO must be appointed before commencement of any authorised activities.
  - 19.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 19.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 19.4. 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**

20. 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.
21. 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.
22. 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 R982 of 04 December 2014, as amended.
23. 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.
24. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, 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.
25. 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**

26. 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**

27. 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**

28. 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**

29. A walk-through must be conducted by the avifaunal specialist when the final pole positions have been determined, to assess whether there are any Red Data species, and/or large raptors breeding in the vicinity of the final alignment, which could be displaced by the construction activities. Should this be the case, appropriate measures must be put in place to prevent the displacement of the breeding birds, through the timing of construction activities.
30. High risk sections of power line must be identified by a qualified avifaunal specialist during the walk through phase of the project, once the alignment has been finalized. If power line marking is required (i.e. in agricultural clearings and close to waterbodies) bird flight flappers must be installed on the full span length on each of the conductors (according to Eskom guidelines - five metres apart). Light and dark colour devices must be alternated so as to provide contrast against both dark and light backgrounds respectively. These devices must be installed as soon as the conductors are strung.
31. In addition to this, the normal suite of environmental best practices must be applied, such as ensuring strict control of staff, vehicles and machinery on site and limiting the creation of new roads as far as possible.
32. A final walk down of the proposed power line route must be undertaken by a suitably qualified archaeologist before construction commences. A report of this assessment must be submitted to SAHRA for comments prior to work beginning on site.
33. In the unlikely event that fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected.
34. If any new heritages resources discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.
35. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer.

36. Mitigation may only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). Contact: SAHRA APM Unit: Nokukhanya Khumalo/Phillip Hine 021 202 8654.
37. If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251).
38. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

### **General**

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 39.1. at the site of the authorised activity;
  - 39.2. to anyone on request; and
  - 39.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
40. 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:** 08/06/2020

  
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 February 2020;
- b) The comments received from South African National Parks (SANParks), Department of Water and Sanitation, South African Heritage Resources Agency, Air Navigation Services Department, Lephalale Municipality and the interested and affected parties as included in the BAR dated February 2020;
- c) Mitigation measures as proposed in the BAR dated February 2020 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix B of the BAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

### **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 BAR recommended mitigation measures.
- b) The rail expansion will not only expand the market for coal but it will also allow the various coal mines to utilise the railway instead of road with the associated positive impacts of less heavy load trucks on the roads with less damage to the roads caused by such heavy vehicles, safer transport of goods, more reliable transport, less accident risk, and substantial less fleet maintenance cost. This project forms part of the Strategic Infrastructure Projects (SIPs) currently taking place in the Lephalale and Thabazimbi area – it is both SIP 1 and SIP 10.
- c) The BAR dated February 2020 identified all legislation and guidelines that have been considered in the preparation of BAR dated February 2020.
- d) The methodology used in assessing the potential impacts identified in the BAR dated February 2020 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, as amended, for public involvement.

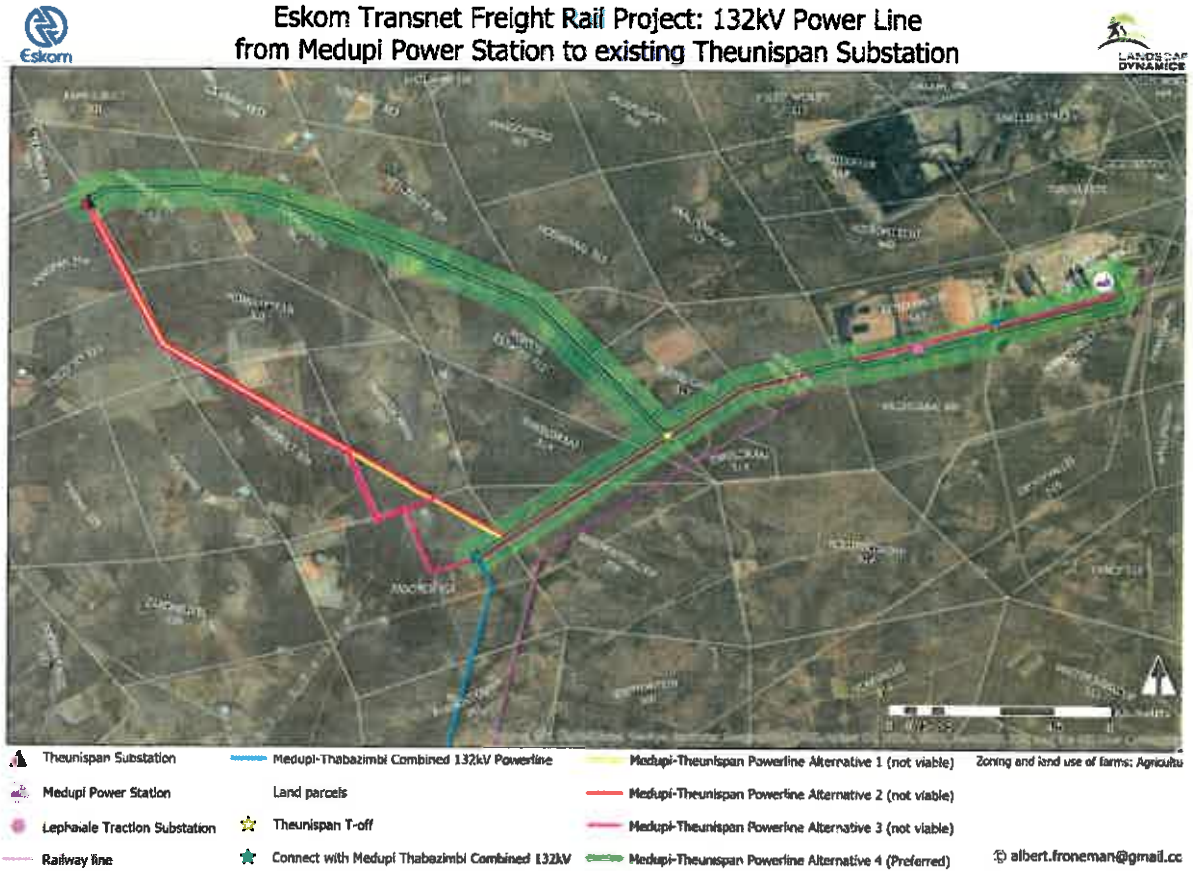
### **3. Findings**

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 BAR dated February 2020 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 2020 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.

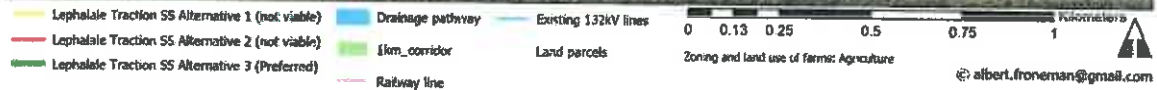
In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act No. 107 of 1998, as amended, 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

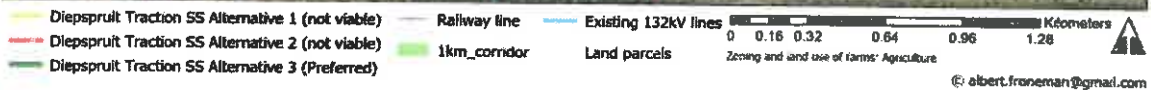




Eskom Transnet Freight Rail Project: Lephale Traction Substation



Eskom Transnet Freight Rail Project: Diepspruit Traction Substation

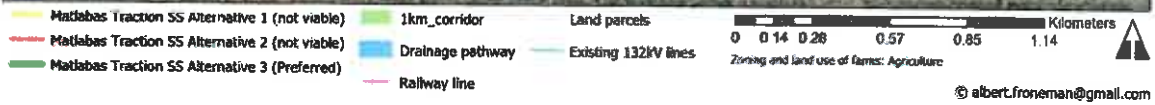


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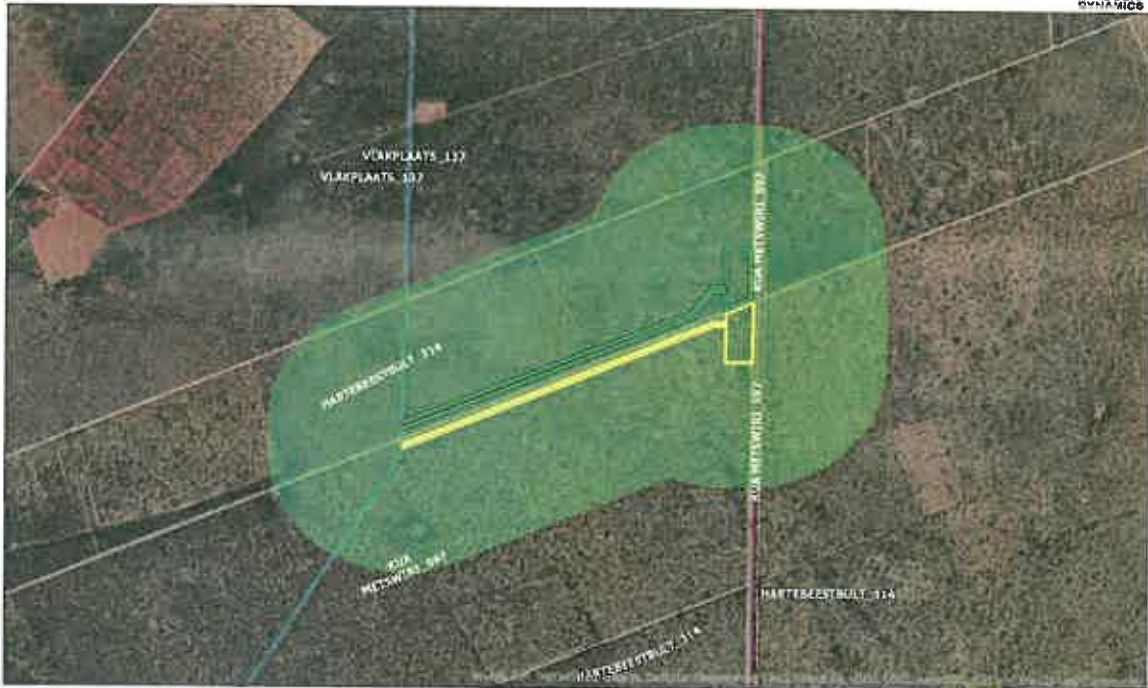




Eskom Transnet Freight Rail Project: Matlabas Traction Substation



Eskom Transnet Freight Rail Project: Marekele Traction Substation



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