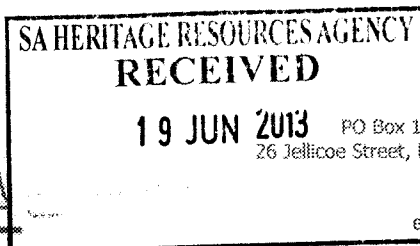




Margen
INDUSTRIAL SERVICES



PO Box 11822, Leraatsfontein, 1038
26 Jellicoe Street, Extension 1, Witbank, 1035
Tel: 013-656-1212
Fax: 013-656-2233
e-mail: delno@telkomsa.net
CK No: 2002/087973/23

12 June 2013

Dear Interested and Affected Party

NOTICE OF ENVIRONMENTAL AUTHORISATION

(Ref: 12/12/20/1378)

APPLICATION FOR THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF NEW 132KV ZAMOKUHLE SUBSTATION AND ASSOCIATED DISTRIBUTION POWER LINE, MPUMALANGA, HENDRINA

The Department of Environmental Affairs has issued an authorisation (**dated 10 June 2013**) to Eskom Holding SOC Limited for the construction of the above mentioned project. The decision to grant the Environmental Authorisation is based on the information contained in the Environmental Impact Report dated **June 2011** and Environmental Management Plan which was made available for public review and comment in **23rd of August 2010**. The Public Participation for the project and public review of the related reports were published in the local newspaper in the study area.

Please note that the dates for Notice of Intend to Appeal are from **12 June 2013 till 01 July 2013(20 days)**. The appeal period is from **02 July 2013 till 31 July 2013 (30 days)**. Notice of your intention to appeal must be lodged with the minister, by means of one of the following:

By Facsimile: 012 320 4431

By Post: Private Bag X 447, Pretoria, 0001

By Hand: 2nd Floor, Fedsure Building, North Tower
Cnr. Lilian Ngoyi and Pretorius Streets, Pretoria

Appeal must be submitted in writing to:

Mr. Z Hassam, Director: Appeals and Legal Review at the above mentioned address,
Tel: 012 310 3271, Email: zhassam@environment.gov.za

The Environmental Authorisation was received by Margem Industrial Services on **11 June 2013**, and is subject to a range of conditions. A copy of the Environmental Authorisation is not included with this letter, but may be obtainable from Margem Industrial Services office on request (contact number: 012 656 1212).

Documents accompanied this letter are:

- Appeal procedures that give guidance on legal requirements to lodge an appeal (**Appeals procedure in terms of chapter 7 of the NEMA EIA Regulations, 2010 as per GN. R.543 of 2010 to be followed by the applicant and I&APs upon receipt of notification of an EA**).
- Reasons for Decision (**Annexure 1: Reasons for Decision**)

Please note that appeals should not be sent to Margem Industrial Services or the Applicant.

On behalf of the entire team, I would like to take this opportunity to sincerely thank you for your interest and constructive inputs into the EIA process. Your participation has been valuable and highly appreciated and was a key factor in assisting the preparation of an informed Environmental Authorisation.

Yours Sincerely



Solly Mohlala
Public Participation Officer

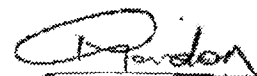
This assessment is being conducted on behalf of Eskom

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs (DEA)).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
3. **An appeal must be:-**
 - a) submitted in writing;
 - b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.



Annexure 1: Reasons for Decision

1. Information considered in making the decision

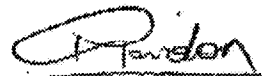
In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the EIAR dated June 2011;
- b) The comments received from the organs of state and interested and affected parties as included in the EIAR dated June 2011;
- c) Mitigation measures as proposed in the EIAR dated June 2011 and the EMP;
- d) The information contained in the specialist studies contained within Appendix E to K of the EIAR;
- e) Findings of the site visit conducted on 25 July 2011 and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 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 stems from Eskom's desire strengthen power supply network to serve Hendrina / Kwa-Zamokuhle area as means of addressing existing shortcomings
- c) The EIAR dated June 2011 identified all legislation and guidelines that have been considered in the preparation of the EIAR dated June 2011.
- d) The methodology used in assessing the potential impacts identified in the EIAR dated June 2011 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, 2010 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 EIAR dated June 2011 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 EIAR dated June 2011 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 process.

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

