



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: 14/12/16/3/3/2/1137

Enquiries: Mr Thando Booï

Telephone: (012) 399 9387 **E-mail:** TBooi@environment.gov.za

Ms Annah Kawadza
ESKOM HOLDINGS SOC LTD
P.O. Box 1091
SUNNINGHILL
2000

Telephone number: (011) 800 4057
Email address: Kawadza@eskom.co.za

PER E-MAIL / MAIL

Dear Ms Kawadza

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, GN R982, GN R983, GN R984 AND GN R985 AS AMENDED, FOR THE PROPOSED CONSTRUCTION OF EMKHIWENI SUBSTATION AND 400kV LINE FROM EMKHIWENI SUBSTATION TO SILIMELA SUBSTATION WITHIN STEVE TSHWETE, ELIAS MOTSOLEDI AND EPHRAIM MOGALE LOCAL MUNICIPALITIES IN MPUMALANGA AND LIMPOPO PROVINCES

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 decision 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 stipulates 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 abuses or compromises 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 prescribe 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.

Ms

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;

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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



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

Date: 11/02/2020

cc:	Jacqui Davis	Nemai Consulting (Pty) Ltd	Tel: (011) 781 1730	Email: jacquid@nemai.co.za
	B Khenisa	Steve Tshwete Local Municipality	Tel: (013) 249 7000	Email: mrmoffice@stlm.gov.za
	T Mthombeni	Elias Motsoaledi Local Municipality	Tel: (013) 262 3056	Email: tmthombeni@emllm.gov.za
	Mr C Badenhorst	Ephraim Mogale Local Municipality	Tel: (013) 261 8480	Email: cbadenhorst@emogalelm.gov.za
	Pamela Ntuli	Mpumalanga-DARDLEA	Tel: (013) 766 6020	Email: PNntuli@mpg.gov.za
	Mr V. Mongwe	Limpopo-LEDET	Tel: (015) 293 8300	Email: Mongwev@ledet.gov.za





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 Emkhiweni Substation and 400kV line from Emkhiweni Substation to Silimela
Substation within Steve Tshwete, Elias Motsoaledi and Ephraim Mogale Local Municipalities in
Mpumalanga and Limpopo Provinces

Nkangala and Greater Sekhukhune District Municipalities

Authorisation register number:	<i>14/12/16/3/3/2/1137</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Eskom Holdings SOC Ltd</i>
Location of activity:	<i>Within Ward 28, 14, 27, 17, 9, 29 of Steve Tshwete Local Municipality, Ward 12, 13, 14 of Elias Motsoaledi Local Municipality and Ward 5 of Ephraim Mogale Local Municipality</i>

This 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 as amended the Department hereby authorises –

ESKOM HOLDINGS SOC LTD

with the following contact details –

Ms Annah Kawadza

ESKOM HOLDINGS SOC LTD

P.O. Box 1091

SUNNINGHILL

2000

Telephone number: (011) 800 4057

Email address: Kawadza@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 and Listing Notice 3 as amended (GN R. 983, 984 and 985 as amended):

Listed activity	Activity/Project description
<p><u>GN R. 983 Item 12(ii)(a)(c)</u></p> <p><i>"The development of -</i> <i>(ii) infrastructure or structures with a physical footprint of 100m² or more;</i> <i>where such development occurs -</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse"</i></p>	<p>A few of the proposed tower structures will fall within watercourses and within 32m of watercourses (specifically wetlands) and they will have an overall combined footprint above 100 square metres, the exact footprint is unknown until Eskom has selected the tower type to be used. However, from the Wetland and Aquatic Specialist Study, there are 19 towers that fall within watercourses (within wetlands or wetland 32 m buffer; no towers fall within streams). The type of towers to be used by Eskom are still to be confirmed, however, the maximum footprint of the proposed towers can be provided, based on a cross-rope suspension tower type, which has the widest span:</p> <ul style="list-style-type: none"> • 80m (anchor width) x 50m (tower length) = 4000 square metres for one tower. Thus the maximum project footprint within watercourses (wetlands) for the 19 towers would total 76 000m² (7.6ha)
<p><u>GN R. 983 Item 14:</u></p> <p><i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</i></p>	<p>"Dangerous goods" that are likely to be associated with the greater project, are fuel stores during the construction phase or hazardous chemical substances at the substation during the operational phase. Threshold of 80 m³ expected to be exceeded.</p>

MS

Listed activities	Activity/Project description
<p><u>GN R. 983 Item 19:</u></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse"</i></p>	<p>A few (19) of the proposed tower structures will fall within watercourses (i.e. wetlands) and will involve the removal of soil within a watercourse, with the combined amount removed expected to be more than 10 cubic metres.</p>
<p><u>GN R. 983 Item 28(ii):</u></p> <p><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></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare"</i></p>	<p>The footprint of project on agricultural land and game farms, outside of an urban area, will be more than 1ha.</p>
<p><u>GN R. 984 Item 9:</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex."</i></p>	<p>The project involves the proposed construction of a 400kV powerline (outside the urban edge) of approximately 110km, including a substation and loop-in lines.</p>
<p><u>GN R. 984 Item 15:</u></p> <p><i>"The clearance of an area of 20 hectares or more of Indigenous vegetation."</i></p>	<p>Clearance of vegetation for the construction of the substation and associated infrastructure is expected to amount to 36ha. Although the footprint includes cultivated agricultural land, more than 20ha has not been cultivated.</p>
<p><u>GN R. 985 Item 12(e)(ii) and (f)(ii):</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation:</i></p>	<p>The proposed development will require the clearance of more than 300 square metres</p>

M.S

Listed activities	Activity/Project description
<p>e. Limpopo</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>f. Mpumalanga</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p>	<p>cumulatively within sensitive areas such as Critical Biodiversity Areas (CBA), and Ecological Support Areas (ESA) (Limpopo and Mpumalanga).</p> <p>The following areas to be cleared within for the proposed development include:</p> <p>1) Tower Footprints:</p> <p>The type of towers to be used by Eskom are still to be confirmed, however, the maximum footprint of the proposed towers can be provided, based on a cross-rope suspension tower type, which has the widest span:</p> <ul style="list-style-type: none"> ➤ 80m (anchor width) x 50m (tower length) = 4000m² for one tower. ➤ For a 110km powerline, there would be approximately 250 to 400 towers. It is estimated that 184 of the proposed towers fall within CBAs and ESAs. ➤ Thus the total project footprint for all towers would be between 1 000 000 to 1 600 000 square metres, and the footprint for the 184 towers which fall within CBAs and ESAs totals 736 000m². <p>2) Powerline Footprint:</p> <p>The Maximum Vegetation Clearance for 220 to 765kV (in this case 400kV) is between 22m to 40m (this includes clearance from the centre of the powerline up to the outer conductor, plus an additional 10m on either side). Therefore a maximum of 40m x 110 000m = 4 400 000 square metres is expected, with 2 426 160m²</p>

Listed activities	Activity/Project description
	within both CBAs and ESAs (1 135 840m within CBAs alone).
<p><u>GN R. 985 Item 14(ii)(a)(c)(e)(i)(ff)and (f).(i).(ff):</u></p> <p><i>"The development of</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i></p> <p><i>where such development occurs-</i></p> <p><i>(a) within a watercourse or;</i></p> <p><i>(c) If no development setback has been adopted, within 32 metres of a watercourse measured from the edge of a watercourse</i></p> <p><i>e. Limpopo</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</i></p> <p><i>f. Mpumalanga</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans "</i></p>	<p>The proposed development will involve tower structures within the regulated area of watercourses, outside urban areas, which fall within or near sensitive areas such as a threatened ecosystem (Rand Highveld Grassland Threatened Ecosystem (Mpumalanga) - Vulnerable), CBAs, and ESAs (Limpopo and Mpumalanga). The proposed development falls within 10km, but more than 6km, of two Protected Areas in terms of National Environment Management: Protected Areas Act (NEMPAA)-the Loskop Dam Nature Reserve, and the Witbank Nature Reserve.</p> <p>The type of towers to be used by Eskom are still to be confirmed, however, the maximum footprint of the proposed towers can be provided, based on a cross-rope suspension tower type, which has the widest span:</p> <ul style="list-style-type: none"> ➤ 80 m (anchor width) x 50 m (tower length) = 4000 square metres for one tower. ➤ For a 110km powerline, there would be approximately 250 to 400 towers. It is estimated that 184 of the proposed towers fall within CBAs and ESAs. ➤ Thus the total project footprint for all towers would be between 1 000 000 to 1 600 000m², and the footprint for the 184 towers which fall within CBAs and ESAs totals 736 000m²

- as described in the final Environmental Impact Assessment Reports (EIAr) dated November 2019 at:

Substation location details

SG Code	Farm name and portion
T0JS00000000031400014	Portion 14 of Farm Rietfontein 314 JS
T0JS00000000031400004	Portion 4 of Farm Rietfontein 314 JS

Loop in lines location details

SG Code	Farm name and portion
T0JS00000000031400014	Portion 14 of Farm Rietfontein 314 JS
T0JS00000000031500034	Portion 34 of Farm Goedehoop 315 JS
T0JS00000000031400002	Portion 2 of Farm Rietfontein 314 JS

Power line location details

SG Code	Farm name and portion
T0JS00000000031400014	Portion 14 of Farm Rietfontein 314 JS
T0JS00000000031400002	Portion 2 of Farm Rietfontein 314 JS
T0JS00000000031400017	Portion 17 of Farm Rietfontein 314 JS
T0JS00000000031400031	Portion 31 of Farm Rietfontein 314 JS
T0JS00000000029100019	Portion 19 of Farm Elandspruit 314 JS
T0JS00000000031400034	Portion 34 of Farm Rietfontein 314 JS
T0JS00000000028700027	RE of Portion 27 of Middleburg Town and Townlands 287 JS
T0JS00000000029000002	Portion 2 of Farm Uitkyk 290 JS
T0JS00000000029000007	Portion 7 of Farm Uitkyk 290 JS
T0JS00000000028600001	RE of Portion 1 of Farm Rietfontein 286 JS
T0JS00000000028600004	Portion 4 of Farm Rietfontein 286 JS
T0JS00000000028600012	RE of Portion 12 of Farm Rietfontein 286 JS
T0JS00000000028600009	Portion 9 of Farm Rietfontein 286 JS
T0JS00000000028600008	Portion 8 of Farm Rietfontein 286 JS
T0JS00000000028600000	RE of Farm Rietfontein 286 JS
T0JS00000000028600002	Portion 2 of Farm Rietfontein 286 JS
T0JS00000000028700363	Portion 363 of Middleburg Town and Townlands 287 JS

T0JS00000000028700352	Portion 352 of Middleburg Town and Townlands 287JS
T0JS00000000032000001	Portion 1 of Farm Toevlugt 320 JS
T0JS00000000037400044	Portion 44 of Farm Keerom 374 JS
T0JS00000000032000000	RE of Farm Toevlugt 320 JS
T0JS00000000026800007	Portion 7 of Farm Koelenhof 268 JS
T0JS00000000026700019	Portion 19 of Farm Leeuwpootje 267 JS
T0JS00000000026700010	Portion 10 of Farm Leeuwpootje 267 JS
T0JS00000000026700029	Portion 29 of Farm Leeuwpootje 267 JS
T0JS00000000026700004	Portion 4 of Farm Leeuwpootje 267 JS
T0JS00000000026700005	Portion 5 of Farm Leeuwpootje 267 JS
T0JS00000000026700030	Portion 30 of Farm Leeuwpootje 267 JS
T0JS00000000024400009	Portion 9 of Farm Goede hoop 244 JS
T0JS00000000024400010	Portion 10 of Farm Goede hoop 244 JS
T0JS00000000024400012 S	Portion 12 of Farm Goede hoop 244 JS
T0JS00000000024400000	RE of Farm Goede hoop 244 JS
T0JS00000000024400008	Portion 8 of Farm Goede hoop 244 JS
T0JS00000000024200000	RE of Farm Mooiplaats 242 JS
T0JS00000000034100010	Portion 10 of Farm Kliprivier 341 JS
T0JS00000000034100003	Portion 3 of Farm Kliprivier 341 JS
T0JS00000000034100002	Portion 2 of Farm Kliprivier 341 JS
T0JS00000000011800002	Portion 2 of Farm Polfontein 118 JS
T0JS00000000011800000	RE of Farm Polfontein 118 JS
T0JS00000000011400000	RE of Farm Alpha 114 JS
T0JS00000000011500001	Portion 1 of Farm Zeekoegat 115 JS
T0JS00000000011500003	Portion 3 of Farm Zeekoegat 115 JS
T0JS00000000011500006	Portion 6 of Farm Zeekoegat 115 JS
T0JS00000000011500005	Portion 5 of Farm Zeekoegat 115 JS
T0JS00000000007300000	RE of Farm Ringer 73 JS
T0JS00000000007300003	Portion 3 of Farm Ringer 73 JS
T0JS00000000007300001	Portion 1 of Farm Ringer 73 JS
T0JS00000000007600006	Portion 6 of Farm Laagersdrift 76 JS
T0JS00000000007600004	Portion 4 of Farm Laagersdrift 76 JS

T0JS0000000007600002	RE of Portion 2 of Farm Laagersdrift 76
T0JS0000000007600003	RE of Portion 3 of Farm Laagersdrift 76 JS
T0JS0000000007600005	Portion 5 of Farm Laagersdrift 76 JS
T0JS0000000005300174	Portion 174 of Farm Loskop Suid 53 JS
T0JS0000000005300064	Portion 64 of Farm Loskop Suid 53 JS
T0JS0000000005300000	RE of Farm Loskop Suid 53 JS
T0JS0000000005300063	Portion 63 of Farm Loskop Suid 53 JS
T0JS0000000005300431	Portion 431 of Farm Loskop Suid 53 JS
T0JS0000000007100000	RE of Farm Kameeldoorn 71 JS
T0JS0000000005300057	Portion 57 of Farm Loskop Suid 53 JS
T0JS0000000007100010	Portion 10 of Farm Kameeldoorn 71 JS
T0JS0000000007100009	RE of Portion 9 of Farm Kameeldoorn 71 JS
T0JS0000000007100020	Portion 20 of Farm Kameeldoorn 71 JS
T0JS0000000007100008	RE of Portion 8 of Farm Kameeldoorn 71 JS
T0JS0000000007100007	Portion 7 of Farm Kameeldoorn 71 JS
T0JS0000000007100005	Portion 5 of Farm Kameeldoorn 71 JS
T0JS0000000007100001	Portion 1 of Farm Kameeldoorn 71 JS
T0JS0000000005300180	Portion 180 of Farm Loskop Suid 53 JS
T0JS0000000005300181	Portion 181 of Farm Loskop Suid 53 JS
T0JS0000000005300111	Portion 111 of Farm Loskop Suid 53 JS
T0JS0000000005300270	Portion 270 of Farm Loskop Suid 53 JS
T0JS0000000005300222	Portion 222 of Farm Loskop Suid 53 JS
T0JS0000000005300248	Portion 248 of Farm Loskop Suid 53 JS
T0JS0000000010100000	RE of Farm Rooibodkloof 1010 JS
T0JS0000000002600000	RE of Farm Klipbank 26 JS
T0JS0000000002600047	Portion 47 of Farm Klipbank 26 JS
N/A	Kleinwater Fontein 42 JS-
T0JS0000000002600054	Portion 54 of Farm Klipbank 26 JS
T0JS0000000001200996	Portion 996 of Farm Loskop Noord 12 JS
T0JS0000000001200991	Portion 991 of Farm Loskop Noord 12 JS
T0JS0000000001200990	Portion 990 of Farm Loskop Noord 12 JS
T0JS0000000001400006	Portion 6 of Farm Vaalfontein 14 JS

M.S

T0JS00000000001400005	Portion 5 of Farm Vaalfontein 14 JS
T0JS00000000001400004	Portion 4 of Farm Vaalfontein 14 JS
T0JS00000000001400007	RE of Portion 7 of Farm Vaalfontein 14 JS
T0JS00000000001201064	Portion 1064 of Farm Loskop Noord 12 JS
T0JS00000000001201204	Portion 1204 of Farm Loskop Noord 12 JS
T0JS00000000001201065	RE of Portion 1065 of Farm Loskop Noord 12 JS
T0JS00000000001200689	Portion 689 of Farm Loskop Noord 12 JS
T0JS00000000001201205	Portion 1205 of Farm Loskop Noord 12 JS
T0JS00000000001201208	Potion 1208 of Farm Loskop Noord 12 JS

Coordinates at EMkhiweni substation

	Latitude(S)	Longitude(E)
Substation	25°52'19.20"S	29°23'60.00"E.

LOOP IN LINE 1	Latitude(S)	Longitude(E)
Start	25°52'25.10"S	29°24'5.55"E.
End point	25°50'58.51"S	29°25'9.49"E.

LOOP IN LINE 2	Latitude(S)	Longitude(E)
Start	25°52'26.27"S	29°24'6.27"E.
End point	25°51'20.05"S	29°25'36.43"E.

Coordinate of the 400kV power line route

	Latitude(S)	Longitude(E)
Starting point	25°5'10.31"S	29°17'55.02"E
Mid-point	25°28'26.86"S;	29°27'35.52"E
End point	25°52'22.73"S	29°24'2.89"E

- for the construction of the proposed construction of Emkhiweni Substation and 400kV line from Emkhiweni Substation to Silimela Substation within Steve Tshwete, Elias Motsoaledi and Ephraim Mogale Local Municipalities in Mpumalanga and Limpopo Provinces hereafter referred to as "the property".

Project Description

The scope of the project includes:

- Construction of the Emkhiweni Substation, with 2x500MVA 400/132kV transformers and loop-in lines; and
- Construction of the Emkhiweni-Silimela 400kV line
- The proposed Emkhiweni Substation would have a 600m x 600m footprint which will include the following:
 - Two 400kV loop-in lines;
 - Loop-in lines to the Amot Kendal power line;
 - Offices and control rooms;
 - Transformers;
 - Communications mast tower;
 - Breakers;
 - Other equipment necessary for connecting the 400kV lines to the substation; and
 - 132kV lines out of the substation.

Conditions of this Environmental Authorisation

Scope of authorisation

1. Construction of the proposed Emkhiweni Substation and 400kV line from Emkhiweni Substation to Silimela Substation within Steve Tshwete, Elias Motsoaledi and Ephraim Mogale Local Municipalities in Mpumalanga and Limpopo Provinces associated infrastructure is approved as per the geographic coordinates indicated 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 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. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

9. 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.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. 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

12. The Environmental Management Programme (EMPr) submitted as part of the Application for Environmental Authorisation is **not approved**. The EMPr must be amended to include final layout map of the pylon positions and submitted to the Department for written approval prior to commencement of the activity. Once approved, the EMPr must be implemented and adhered to.

Frequency and process of updating the EMPr

13. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
14. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIA be discovered.
15. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 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.
16. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
17. 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.
18. 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.
19. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of GN

R.982. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

20. 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.
 - 20.1. The ECO must be appointed before commencement of any authorised activities.
 - 20.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 20.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 20.4. 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

21. 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.
22. 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.
23. 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.

24. The holder of the authorisation must, in addition, submit 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.
25. 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.
26. 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

27. 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

28. 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

29. 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

30. Prior to construction, an independent ecologist must undertake a final walkthrough of the power line route to fine tune the final pylon positions and the results of the walkthrough must be attached to the final EMPr and submitted to the Department for approval.

31. A final Conservation Management Plan incorporating the Plant Rescue and Protection Plan must be compiled by an independent specialist and conservations measures must be reflected in the final EMPr which will then be submitted to the Department for approval.
32. The sections of the power line in areas where bird collisions as indicated in figure 7 in section 6 of the Avifaunal Specialist Study dated February 2019 compiled by Jon Sallies from WildSkies Ecological Services must have anti bird collision marking devices installed, and it must satisfy the following requirements:
 - 31.1 Devices must be installed as soon as the earth wire is connected as the risk is immediately.
 - 31.2 Devices must be installed for the full length of each span, not only the middle 60 percent.
 - 31.3 Light and dark colour devices must be alternated to ensure contrast against dark and light backgrounds respectively.
 - 31.4 These marking devices must be maintained in working order for the full life span of the power line.
 - 31.5 The effective spacing between devices must be no more than 10m. This means that on each earth wire devices can be 20m apart if they are staggered between the two earth wires.
 - 31.6 The most suitable available Eskom approved device available at the time of construction must be used.
33. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
34. Prior to construction, the Hypoxis hemerocallidea (Star flower/African potato) and Boophane disticha (Century plant) plant species recorded must be searched and rescued and after construction activities, be re-established at the site or along the route.
35. The footprint of the development must be limited to the areas required for actual construction works.
36. Construction in and around watercourses must be restricted to the dry season;
37. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Human Settlement, Water and Sanitation.
38. No hazardous materials should be kept within 50m of the edge of a wetland.
39. Appropriate dust suppression techniques must be implemented on all exposed surfaces during periods of high wind.
40. Proof of the agreed resettlement action plan by the affected household and municipalities must be submitted to the Chief Directorate: Integrated Environmental Authorisations for record keeping prior to commencement of the construction activities.

41. A desktop palaeontological assessment of the proposed development must be undertaken by a suitably qualified palaeontologist and be submitted to SAHRA for comments prior to commencement of construction activities.
42. Proof of comments from SAHRA on the palaeontological assessment must be submitted to the Chief Directorate: Integrated Environmental Authorisations and *Director: Compliance Monitoring* of the Department prior commencement of the construction activities.
43. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources must be made.
44. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options. 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

45. The recommendations of the EAP in the EIAR dated August 2019 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
46. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
 - 46.1. at the site of the authorised activity;
 - 46.2. to anyone on request; and
 - 46.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.

47. 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: 11/02/2020



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 listed activities as applied for in the application forms received on 17 September 2019 and the amended application form received on 29 November 2019 respectively.
- b) The information contained in the final EIAr dated November 2019.
- c) The comments received from interested and affected parties as included in the final EIAr dated November 2019.
- d) Mitigation measures as proposed in the final EIAr and the EMPr dated November 2019.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr dated November 2019.

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 proposed development will provide additional power supply within operational limits to both Limpopo and Mpumalanga provinces.
- c) The final EIAr dated November 2019 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated November 2019 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.

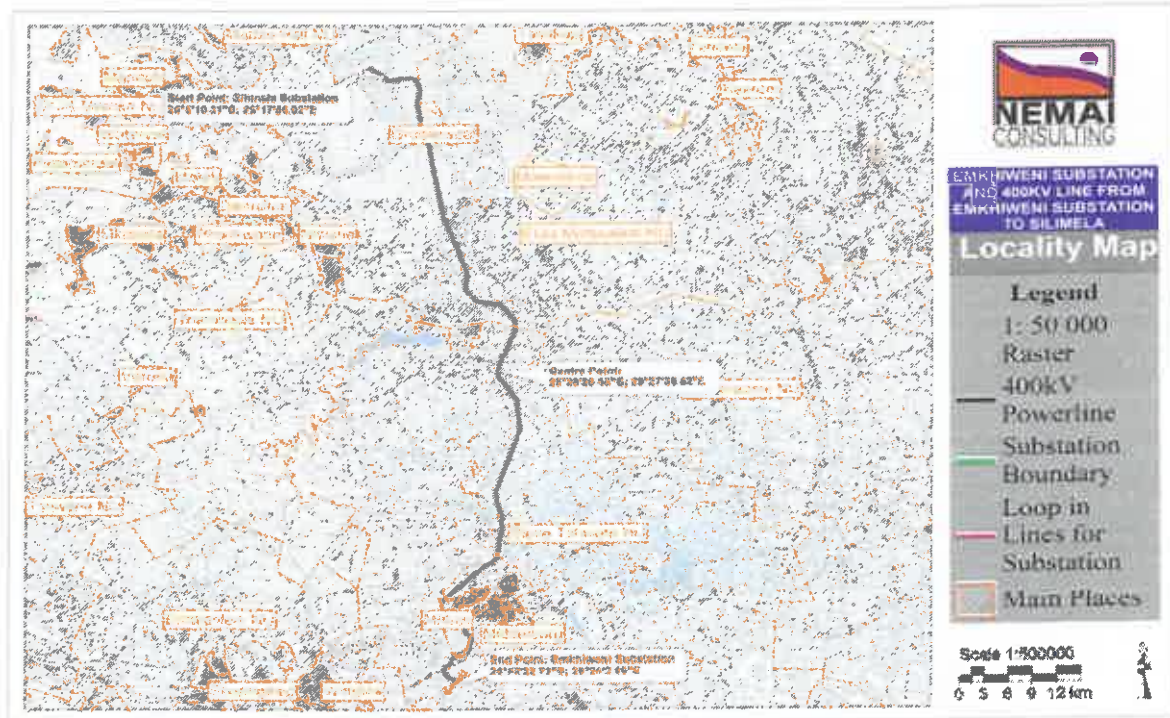
3. Findings

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 EIAr dated November 2019 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 EMPr proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and were included in the EIAr. The EMPr 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 Map



Layout map

