



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/411

Enquiries: Ms Thabile Sangweni

Telephone: (012) 399 9409 E-mail: TSangweni@environment.gov.za

Ms Andrea van Gensen
Eskom Distribution
PO Box 356
BLOEMFONTEIN
9301

Telephone number: (051) 404 2040
Email Address: vgenseal@eskom.co.za

PER EMAIL / MAIL

Dear Ms Van Gensen


MOHAMED KHALPE CA(SA)
SAICA NUMBER: 20018533
COMMISSIONER OF OATHS
ENERGY INFRASTRUCTURE
MANAGEMENT SERVICES (PTY) LTD
1 OAKDALE ROAD
NEWLANDS, 7700

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/546 FOR THE ESKOM DISTRIBUTION GRID CONNECTION INFRASTRUCTURE NEAR MURRAYSBURG, BEAUFORT – WEST LOCAL MUNICIPALITY, WESTERN CAPE 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.

Please note that GN R 544, Activity 13: *"The construction 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 80 but not exceeding 500 cubic metres"* is not authorised as part of this EA for the proposed development, as the impacts of the proposed activity has not been adequately assessed and mitigated for in the EIAr and the EMPr.

Please note that Activity 24 of GN R. 544 will not be authorised. The information provided by the applicant states that the land has been zoned as agriculture and not open space, conservation or an equivalent zoning, and as such this activity is deemed not applicable. In addition, please note that in the EIAr the EAP states that the land might be zoned as open space, conservation or an equivalent zoning.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By post: Private Bag X447,
Pretoria, 0001; or

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Appeals must be submitted in writing to:

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: AppealsDirectorate@environment.gov.za

The authorised activities must not commence within twenty (20) days of the date of signature of the environmental authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.

Yours faithfully



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

Date: 2/02/2015

CC:	Mr Paul Lochner	CSIR	Tel: (021) 888 2486	Email: PLochner@csir.co.za
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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 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 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 may 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 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.


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environmental affairs
Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

The Eskom Distribution grid connection infrastructure on the Remainder of the Farm Schietkuil No. 3, Portion 2 of the Farm Schietkuil No. 3, Farm Klein Los Kop No. 5, Remainder of the Farm Leeuwenfontein No. 6, Portion 2 of the Farm Leeuwenfontein No. 6, Portion 2 of the Farm Allemansfontein No. 7, Portion 4 of the Farm Allemansfontein No. 7 and Remainder of the Farm Driefontein No. 8 within the Beaufort – West Local Municipality in the Western Cape Province

Central Karoo District Municipality

Authorisation register number:	14/12/16/3/3/2/411
Last amended:	First issue
Holder of authorisation:	Eskom Holdings SOC Limited
Location of activity:	Remainder of the Farm Schietkuil No. 3; Portion 2 of the Farm Schietkuil No.3; The Farm Klein Los Kop No. 5; Remainder of the Farm Leeuwenfontein No. 6; Portion 2 of the Farm Leeuwenfontein No. 6; Portion 2 of the Farm Allemansfontein No.7; Portion 4 of the Farm Allemansfontein No. 7; Remainder of the Farm Driefontein No. 8 Beaufort - West Local Municipality Central Karoo District Municipality Western Cape Province

This environmental authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this 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, 2010 the Department hereby authorises –

ESKOM DISTRIBUTION

(hereafter referred to as the holder of the authorisation)

with the following contact details –


Ms Andrea van Gensen
PO Box 356
BLEOMFONTEIN
9301

Telephone Number: (051) 404 0240
Fax Number: (086) 539 5177
Email Address: vgenseal@eskom.co.za



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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 (GN R. 544 and 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10</u></p> <p><i>"The construction of facilities or infrastructure for the transmission and distribution of electricity -</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</i></p>	<p>The Eskom distribution grid connection infrastructure proposed entails the construction of three double circuit 132 kV powerlines stretching from the 33/132 kV proposed Ishwati Emoyeni Wind Energy Facility's (WEF) onsite substation in the east to the 400 kV Gamma Substation in the west. The implementation of the proposed project therefore entails the construction of infrastructure for the distribution of electricity via 132 kV powerlines.</p> <p>While one double circuit 132 kV powerline will be sufficient to cater for the entire generation capacity of the proposed WEF, three double circuits 132 kV powerlines have been proposed. The additional powerlines are intended to cater for future growth of renewable energy facilities within the surrounding area and the associated demand for grid connection infrastructure. The additional powerlines will therefore be constructed as and when required. All of the proposed powerlines will be constructed outside urban areas or industrial complexes.</p>
<p><u>GN R. 544 Item 11:</u></p> <p><i>"The construction of:</i></p> <p><i>(iii) bridges;</i></p> <p><i>(vi) bulk storm water outlet structures;</i></p> <p><i>(xi) infrastructure or structures covering 50 square metres in size;</i></p>	<p>The proposed project entails the establishment of a 73m wide powerline servitude and three double circuit 132 kV powerlines. The establishment of a servitude includes the construction on an access road to be used for construction and maintenance purposes. The</p>


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Listed activities	Activity/Project description
<p>where such construction occurs within a watercourse or within 32m of a watercourse."</p> <p>MOHAMED KHALPE CA(SA) SAICA NUMBER: 20018533 COMMISSIONER OF OATHS ENERGY INFRASTRUCTURE MANAGEMENT SERVICES (PTY) LTD 1 OAKDALE ROAD NEWLANDS, 7700</p>	<p>possibility exists that the access road may require construction to facilitate river crossings. This infrastructure could be constructed within and/or within 32m of a watercourse.</p> <p>The location of such crossings is ultimately dependent on the final servitude route. The water crossing and its required infrastructure will be part of the Water Use Licence application submitted to the Department of Water and Sanitation. The proposed project also entails the construction of tower structures to support the proposed powerlines. The routing of the proposed powerlines crosses a number of non-perennial watercourses. Depending on the location of the tower structures, the possibility therefore exists that infrastructure or structures covering more than 50m² (in total) may occur within or within 32m of a watercourse.</p>
<p><u>GN R. 544 Item 18:</u></p> <p>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells grit, pebbles or rock of more than 5 cubic metres from:</p> <p>(i) a watercourse."</p>	<p>Should the construction of infrastructure be required, it is likely that such construction would result in the infilling or depositing of any material into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from affected watercourses. While the volume of material is not known the possibility exists that it may constitute more than 5m³.</p>
<p><u>GN R. 544 Item 22:</u></p> <p>"The construction of a road, outside urban areas,</p> <p>(ii) where no reserve exists where the road is wider than 8 metres."</p>	<p>An access road would be required for the proposed project to provide access for construction and maintenance purposes. Depending on the final design the access road</p>


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Department of Environmental Affairs
 Environmental Authorisation Reg. No. 14/12/16/3/3/2/411
 NEAS Reference Number: DEA/EIA/0001435/2012

	Activity/Project description
	<p>may have a reserve wider than 13,5m or where no reserve exists may be wider than 8m. The design specifications would need to be determined by Eskom during the detailed project design phase.</p>
<p><u>GN R. 544 Item 23:</u> <i>"The transformation of undeveloped, vacant or derelict land to –</i> <i>(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares."</i></p>	<p>The proposed project will result in the transformation of more than 1ha but less than 20ha of undeveloped land to industrial or commercial use outside of any urban areas.</p>
<p><u>GN R. 544 Item 47:</u> <i>"The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre –</i> <i>(ii) where no reserve exists, where the existing road is wider than 8 metres."</i></p>	<p>Depending on the final routing of the servitude access road, the possibility exists that an existing road may be lengthened by more than 1km. The design specifications for the servitude access road would need to be determined by Eskom during the detailed project design phase.</p>
<p><u>GN R. 546 Item 4</u> <i>"The construction of a road wider than 4 metres with a reserve less than 13, 5 metres</i> <i>(d) In Western Cape:</i> <i>ii All areas outside urban areas."</i></p>	<p>The proposed project may result in the construction of roads wider than 4m with a reserve less than 13,5m in the WC, outside urban areas. The design specifications would need to be determined by Eskom during the detailed project design phase.</p>
<p><u>GN R. 546 Item 12:</u> <i>"The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitute indigenous vegetation.</i> <i>(a) Within any critically endangered or endangered ecosystem listed in terms of</i></p>	<p>The proposed servitude covers a total area of approximately 173ha in extent. The establishment of the 73m wide servitude and construction of powerlines would therefore result in the clearance of an area greater than 300m²</p>

Listed activities	Activity/Project description
<p><i>section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>(b) Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>of vegetation. The possibility exists that 75% or more of this vegetation may constitute indigenous vegetation.</p> <p>Furthermore, given the routing of the proposed powerline servitude some of this may occur within areas which have been determined as ESAs or CBAs. The current layout of all project components completely avoids all CBAs. However, it is possible that the construction of short lengths of access roads may be required through CBAs (CBA along the Snyderskraal River), identified according to bioregional plans. Nevertheless, direct impacts on the CBAs at the site will be low.</p>
<p><u>GN R. 546 Item 13:</u></p> <p><i>"The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation</i></p> <p><i>(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.</i></p> <p><i>(b) National Protected Area Expansion Strategy Focus areas.</i></p> <p><i>(c) In the Western Cape:</i></p> <p><i>ii. Outside urban areas, the following:</i></p> <p><i>(cc) Sensitive. areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i></p>	<p>The establishment of the proposed 73m wide powerline servitude requires that the area be cleared of vegetation during the construction phase in order to provide access to the site for construction vehicles, and to prepare locations for the construction of tower structures and foundations. Servitude areas also need to be kept clear of vegetation of a certain height which may pose a threat to the safe mechanical and electrical operation of the powerline during the operational phase of the development.</p> <p>The proposed servitude covers a total area of approximately 173ha in extent. A portion of this area constitutes CBAs and ESAs. It is assumed that 75% or more of this vegetation might be indigenous vegetation. The current layout of all</p>



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Listed activities	Activity/Project description
	<p>project components completely avoids all CBAs. However, it is possible that the construction of short lengths of access roads may be required through CBAs (CBA along the Snyderskraal River), identified according to bioregional plans. Nevertheless, direct impacts on the CBAs at the site will be low.</p>
<p><u>GN R. 546 Item 14:</u> <i>"The clearance of an area of 5 Ha or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation</i> (a) <i>In Western Cape</i> i. <i>All areas outside urban areas."</i></p>	<p>The establishment of the proposed 73m wide powerline servitude requires the clearance of an area of approximately 173ha of its vegetation. Such clearance will occur outside of urban areas, and it could be that 75% or more of this vegetation constitutes indigenous vegetation.</p>
<p><u>GN R. 546 Item 16:</u> <i>"The construction of:</i> iv) <i>Infrastructure covering 10 metre square or more where such construction occurs within a watercourse or within 32 metre of a watercourse, measured from the edge of a watercourse</i> (d) <i>In Western Cape:</i> ii. <i>Outside urban areas, in:</i> (dd) <i>Sensitive areas identified in an environmental management framework as contemplated in Chapter 5 of the Act and as adopted by the competent authority;</i> (ff) <i>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 project entails the construction of lower structures to support the proposed powerlines. The routing of the proposed powerline crosses a number of non-perennial watercourses. Depending on the location of the tower structures, the possibility therefore exists that infrastructure covering more than 10m² may occur within or within 32m of a watercourse. Such construction would occur outside of urban areas and may potentially occur within CBAs and ESAs.</p> <p>The current layout of all project components completely avoids all CBAs. However, it is possible that the construction of short lengths of access roads may be required through CBAs (CBA along the Snyderskraal River), identified according to bioregional plans. Nevertheless,</p>

Listed activities	Activity/Project description
	direct impacts on the CBAs at the site will be low.
<p><u>GN R. 546 Item 19:</u></p> <p><i>"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p>(d) <i>In Western Cape:</i></p> <p>ii. <i>All areas outside urban areas."</i></p>	<p>Depending on the final routing of the servitude access road the possibility exists that an existing road may be widened by more than 4m or lengthened by more than 1km. This would occur outside of urban areas.</p>

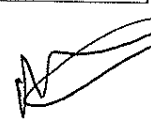
The following listed activities as described in Listing Notice 1 and Listing Notice 3 (GN R. 983 & 985):


Activity number	Activity description
<p><u>GN R. 983: Item 11:</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity-</i></p> <p>(i) <i>outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV...."</i></p> <p> MOHAMED KHALPE CA(SA) SAICA NUMBER: 20018533 COMMISSIONER OF OATHS ENERGY INFRASTRUCTURE MANAGEMENT SERVICES (PTY) LTD 1 OAKDALE ROAD NEWLANDS, 7700</p>	<p>Eskom distribution grid connection infrastructure proposed entails the construction of three double circuit 132 kV powerlines stretching from the 33/132 kV WEF onsite substation in the east to the 400 kV Gamma Substation in the west. The implementation of the proposed project therefore entails the construction of infrastructure for the distribution of electricity via 132 kV powerlines.</p> <p>While one double circuit 132 kV powerline will be sufficient to cater for the entire generation capacity of the proposed WEF, three double circuits 132 kV powerlines have been proposed. The additional powerlines are intended to cater for future growth of renewable energy facilities within the surrounding area and the associated demand for grid connection infrastructure. The additional powerlines will therefore be</p>

	<p>constructed as and when required. All of the proposed powerlines will be constructed outside urban areas or industrial complexes.</p>
<p><u>GN R. 983 Item 12:</u> <i>"The development of –</i> (iii) <i>bridges exceeding 100 square metres in size;</i> (vi) <i>bulk storm water outlet structures exceeding 100 square metres in size;</i> (xii) <i>infrastructure or structures with a physical footprint of 100 square metres or more</i> <i>where such development occurs –</i> (a) <i>within a watercourse;</i> <i>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p> <p> MOHAMED KHALPE CA(SA) SAICA NUMBER: 20018533 COMMISSIONER OF OATHS ENERGY INFRASTRUCTURE MANAGEMENT SERVICES (PTY) LTD 1 OAKDALE ROAD NEWLANDS, 7700</p>	<p>The proposed project entails the establishment of a 73m wide powerline servitude and three double circuit 132 kV powerlines. The establishment of a servitude includes the construction on an access road to be used for construction and maintenance purposes. The possibility exists that the access road may require construction to facilitate river crossings. This infrastructure could be constructed within and/or within 32m of a watercourse.</p> <p>The location of such crossings is ultimately dependent on the final servitude route. The water crossing and its required infrastructure will be part of the Water Use Licence application submitted to the Department of Water and Sanitation. The proposed project also entails the construction of tower structures to support the proposed powerlines. The routing of the proposed powerline crosses a number of non-perennial watercourses. Depending on the location of the tower structures, the possibility therefore exists that infrastructure or structures covering more than 50m² (in total) may occur within or within 32m of a watercourse.</p>
<p><u>GN R. 983 Item 19:</u> <i>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation,</i></p>	<p>Should the construction of infrastructure be required, it is likely that such construction</p>

<p>removal or moving of soil, sand, shells grit, pebbles or rock of more than 5 cubic metres from - (i) a watercourse</p>	<p>would result in the infilling or depositing of any material into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from affected watercourses. While the volume of material is not known the possibility exists that it may constitute more than 5m³.</p>
<p><u>GN R. 983 Item 24:</u> "The development of - (ii) a road with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres."</p>	<p>An access road would be required for the proposed project to provide access for construction and maintenance purposes. Depending on the final design the access road may have a reserve wider than 13,5m or where no reserve exists may be wider than 8m. The design specifications would need to be determined by Eskom during the detailed project design phase.</p>
<p><u>GN R. 983 Item 27:</u> "The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation."</p>	<p>The proposed project will result in the transformation of more than 1ha but less than 20ha of undeveloped land to industrial or commercial use outside of any urban areas.</p>
<p><u>GN R. 983 Item 56:</u> "The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (i) where the existing reserve is wider than 13,5 metres; or (ii) where no reserve exists, where the existing road is wider than 8 metres; excluding where widening or lengthening occur inside urban areas."</p>	<p>Depending on the final routing of the servitude access road, the possibility exists that an existing road may be lengthened by more than 1km. The design specifications for the servitude access road would need to be determined by Eskom during the detailed project design phase.</p>

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<p><u>GN R. 985 Item 4:</u></p> <p>"The development of a road wider than 4 metres with a reserve less than 13,5 metres</p> <p>(f) In Western Cape:</p> <p>i. Areas outside urban areas."</p>	<p>The proposed project may result in the construction of roads wider than 4m with a reserve less than 13,5m in the WC, outside urban areas. The design specifications would need to be determined by Eskom during the detailed project design phase.</p>
<p><u>GN R. 985 Item 12:</u></p> <p>"The clearance of an area of 300 square metres or more of indigenous vegetation...</p> <p>(a) In Western Cape Province:</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>Within critical biodiversity areas identified in bioregional plans."</p> <p> MOHAMED KHALPE CA(SA) SAICA NUMBER: 20018533 COMMISSIONER OF OATHS ENERGY INFRASTRUCTURE MANAGEMENT SERVICES (PTY) LTD 1 OAKDALE ROAD NEWLANDS, 7700</p>	<p>The proposed servitude covers a total area of approximately 173ha in extent. The establishment of the 73m wide servitude and construction of powerlines would therefore result in the clearance of an area greater than 300m² of vegetation. The possibility exists that 75% or more of this vegetation may constitute indigenous vegetation.</p> <p>Furthermore, given the routing of the proposed powerline servitude some of this may occur within areas which have been determined as ESAs or CBAs. The current layout of all project components completely avoids all CBAs. However, it is possible that the construction of short lengths of access roads may be required through CBAs (CBA along the Snyderskraal River), identified according to bioregional plans. Nevertheless, direct impacts on the CBAs at the site will be low.</p>
<p><u>GN R. 985 Item 18:</u></p> <p>"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre</p> <p>(f) In Western Cape Province:</p> <p>All areas outside urban areas."</p>	<p>Depending on the final routing of the servitude access road the possibility exists that an existing road may be widened by more than 4m or lengthened by more than</p>

	1km. this would occur outside of urban areas.
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as described in the Environmental Impact Assessment Report (EIAr) dated March 2014 at:

Power lines and servitude routing (preferred)	Latitude (S)	Longitude (E)
Start	31°42' 33" S	23°39' 0.1" E
Middle	31°43' 54" S	23°35' 19" E
End	31°40' 47" S	23°24' 48" E

- for the Eskom distribution grid connection infrastructure on the Remainder of the Farm Schietkuil No. 3, Portion 2 of the Farm Schietkuil No. 3, Farm Klein Los Kop No. 5, Remainder of the Farm Leeuwenfontein No. 6, Portion 2 of the Farm Leeuwenfontein No. 6, Portion 2 of the Farm Allemansfontein No. 7, Portion 4 of the Farm Allemansfontein No. 7 and Remainder of the Farm Driefontein No. 8 within the Beaufort - West Local Municipality in the Western Cape Province hereafter referred to as "the property".

The Eskom distribution grid connection infrastructure will comprise the following:


- Three double circuits 132 kV high voltage powerlines with a 73m wide servitude; and,
- A 132 kV substation/switching substation situated on the Ishwati Emoyeni Wind Energy Facility.

Conditions of this Environmental Authorisation

Scope of authorisation

1. Three double circuits 132 kV high voltage powerlines with a 73m wide servitude and a 132 kV substation/switching substation situated on the Ishwati Emoyeni Wind Energy Facility are hereby approved.
2. Construction of this project may only commence once the 140 MW Ishwati Emoyeni Wind Energy Facility (12/12/20/2351), has commenced with the construction phase.
3. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.

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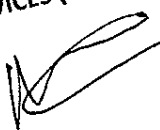


4. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
5. The activities authorised may only be carried out at the property as described above.
6. Any changes to, or deviations from, the project description set out in this 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 authorisation in terms of the regulations.
7. This activity must commence within a period of three (03) years from the date of issue of this 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 authorisation constitutes commencement of all authorised activities.
9. The holder of an environmental authorisation must apply for an amendment of 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.
10. In terms of section 43(7), an appeal under Section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Notification of authorisation and right to appeal

11. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
12. The notification referred to must –
 - 12.1. specify the date on which the environmental authorisation was issued;
 - 12.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;

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- 12.3. advise the interested and affected party that a copy of the environmental authorisation will be furnished on request; and
- 12.4. give the reasons of the competent authority for the decision.
13. The holder of the authorisation must publish a notice –
- 13.1. informing interested and affected parties of the decision;
- 13.2. informing interested and affected parties where the decision can be accessed; and
- 13.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2) (c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

14. The Environmental Management Programme (EMPr) submitted as part of the amended EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
15. The EMPr is amendable and must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the EMPr, which are environmentally defensible, shall be submitted to this Department for acceptance before such changes could be effected.
17. The Department reserves the right to amend the EMPr should any impacts that were not anticipated or covered in the amended EIAr be discovered.
18. The provisions of the approved EMPr including recommendations and mitigation measures in the amended EIAr and specialist' studies shall be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.
19. The following must be included in the amended final EMPr:
- 19.1. Final layout of the proposed power line, including final to SAICA positions and the HTPS coordinates;

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- 19.2. The findings and recommendations made by the avifaunal specialist and the botanist as per conditions 33 and 34, under specific conditions.
- 19.3. The EMPr must include all other licenses and permits required for the construction of the proposed development.
20. Once approved, the EMPr must be implemented and adhered to.


Monitoring

21. 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.
- 21.1. The ECO must be appointed before commencement of any authorised activities.
- 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 21.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

22. The holder of this authorisation must keep all records relating to monitoring and auditing on site and make it available for inspection to any relevant and competent authority in respect of this development.
23. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at this Department.

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Commencement of the activity

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

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Notification to authorities

25. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number. This notification period should coincide with the Notice of Intent to Appeal period.

Operation of the activity

26. 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


27. 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

28. All powerlines, new roads, substation and other infrastructure must be kept out of all high sensitive areas including the slopes and valleys of Upper Karoo Hardeveld ridges and Southern Karoo Riviere (riverine) habitat.
29. A 500m buffer must be kept around streams, farm reservoirs, dams and farm buildings.
30. Activities which require a Water Use License must not be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.

31. The facility must be designed to discourage the use of infrastructure components as perching or roosting substrates by birds and bats.
32. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g. grasslands, rivers, wetlands, and dams). The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitment of anti-collision devices. These devices must be according to Eskom's Transmission and EWT's Guidelines.
33. A pre-construction walk through on the selected power line alignment by a bat specialist, avifaunal specialist and ecologist, must be conducted to ensure that the micro-siting of the turbines has the least possible impact, there are no nests sites of priority species on or close to the construction corridor, and all protected plant species impacted are identified.
34. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species, and assist in identifying the areas that require protection once final pylon positions are pegged.
35. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous protected and endangered plant and animal species.
36. Copies of all permits required for the construction of the proposed must be submitted to the Department for record keeping.
37. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
38. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
39. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
40. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

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General

41. All relevant parties, including the holder of the authorisation, all project managers, contractors and sub-contractors, must be made aware of their responsibility for compliance with the provisions for Duty of Care and remediation of environmental damage as contained in Section 28 of NEMA.
42. A copy of this environmental authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The environmental authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who undertakes work at the property or along the authorised route.
43. National government, provincial government, local authorities or committees appointed in terms of the conditions of this environmental authorisation or any other public authority must not be held responsible for any damages or losses suffered by the holder of the authorisation or his 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: 2/07/2015



Mr Sabelo Majaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

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Annexure 1: Reasons for Decision


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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 March 2014;
- b) The comments received from organs of state and interested and affected parties as included in the EIAr dated March 2014;
- c) The findings of the site visit conducted on 05/03/2015;
- d) Mitigation measures as proposed in the EIAr dated March 2014 and the EMPr;
- e) The information contained in the specialist studies attached as Appendices of the EIAr; and
- f) 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) Details provided of the qualifications of the Environmental Assessment Practitioner (EAP).
- c) The EIAr dated March 2014 identified all legislation and guidelines that have been considered in the preparation of the EIAr dated March 2014.
- d) The objections from the Interested & Affected Parties.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated March 2014 and the specialist studies have been adequately indicated.
- f) 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 is detailed in the EIAr dated March 2014 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 manner in which concerns raised were dealt with is sufficient for the decision-making process.
- e) The information contained in the EIAr dated March 2014 is deemed to be accurate and credible.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr dated March 2014 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 authorised 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 negative environmental impacts resulting from the authorised activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.


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