



Date: 13/01/2013
NEAS Ref: DEA/EIA/0001681/2013
DEA Ref: 14/12/16/3/3/2/467
Our Ref: S0474
Attention: Interested and affected parties

Johannesburg: Tel: +27(0)11 326 4158,
Fax: +27(0)11 326 4118
PO Box 68821, Bryanston, 2021
Suite 5 & 6, Block B, Hurlingham Office Park

NOTIFICATION OF ENVIRONMENTAL AUTHORISATION

Relocation of a Section of the 275 kV Eskom Power Line at Sishen Mine

Notice is given on the decision of the Department of Environmental Affairs (DEA) to grant Environmental Authorisation to Eskom Holdings SOC Limited (Eskom) for the relocation of a section of the 275 kV Eskom power line at Sishen Mine. The Environmental Authorisation (NEAS Reference: DEA/EIA/0001681/2013, DEA Referene: 14/12/16/3/3/2/467) has been granted on 13 December 2013 in terms of the National Environmental Management Act, 1998 (NEMA, No. 107 of 1998) and also the Environmental Impact Assessment (EIA) Regulations (Government Notice Regulation (GNR) 543, published 18 June 2010). A copy of this Environmental Authorisation detailing the activities authorised and conditions to this authorisation are attached to this letter and is also available on request from the undersigned.

Interested and Affected Parties may lodge an appeal against the decision of the DEA. Your attention is drawn to the Appeals procedure contemplated in Chapter 7 of the EIA Regulations GNR 543.

Should you wish to appeal any aspect of the decision, you must lodge **a notice of intention to appeal within 20 days of the date of decision (i.e. 21 January 2014).**

The intention to appeal should be lodged with the Minister of the DEA, and a copy must also be forwarded to the applicant Eskom within 10 days of lodging the notice of intention to appeal.

The contact details are as follow:

METHOD	Minister of the DEA	Eskom
Contact Person	Office of the Minister, DEA	Mr. John Geeringh
Fax	012 320 7561	086 661 4064
Post	Private Bag X447, Pretoria, 0001	P.O. Box 1091, Johannesburg, 2000
Hand	2 nd Floor, Fedsure Building, North Tower, Cnr. Lilian Ngoyi (Van der Walt) and Preotirus Streets, Pretoria	Megawatt Park, 1 Maxwell Drive, Sunninghill

Following the submission of the notice of intention to appeal, an appeal must be submitted in writing together with a statement setting out the grounds of the appeal and any supporting documentation, to the **Minister** (details above) within **30 days after the lapsing of the 20 days mentioned above (thus by 20 February 2014)**.

It would be appreciated if the appellant could also submit the notices of the intention to appeal and written appeals to Synergistics. The details are as follows:

Synergistics Environmental Services (Pty) Ltd

Marline Medallie

Tel: (011) 326-4158

Fax: (011) 326-4118

Email: mmedallie@slrconsulting.com

Post: P.O. Box 68821, Bryanston, 2021

Yours sincerely

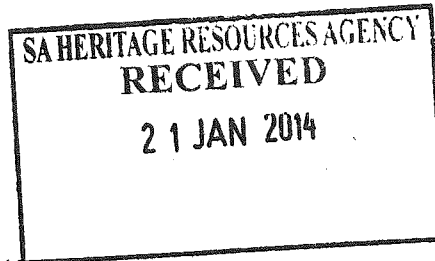


Marline Medallie

M.Sc Botany (Molecular Systematics)

Senior Environmental Scientist

Synergistics Environmental Services (Pty) Ltd



Datum: 13/01/2013
 NEAS Verw: DEA/EIA/0001681/2013
 DEA Verw: 14/12/16/3/3/2/467
 Ons Verw: S0474
 Aandag: Belanghebbende en geaffekteerde partye

Johannesburg: Tel: +27(0)11 326 4158,
 Fax: +27(0)11 326 4118
 PO Box 68821, Bryanston, 2021
 Suite 5 & 6, Block B, Hurlingham Office Park

KENNISGEWING VAN OMGEWINGSMAGTIGING

Hervestiging van 'n gedeelte van die 275 kV Eskom kraglyn by Sishen Myn

Kennis word hiermee gegee aangaande die besluit van die Departement van Omgewingsake (DEA) om Omgewingsmagtiging toe te staan aan Eskom Holdings SOC Limited (Eskom) vir die hervestiging van 'n gedeelte van die 275 kV Eskom kraglyn by Sishen Myn. Die Omgewingsmagtiging (NEAS Verwysing: DEA/EIA/0001681/2013, DEA Verwysing: 14/12/16/3/3/2/467) was toegestaan op 13 Desember 2013 in terme van die Wet op Nasionale Omgewingsbestuur (NEMA, No. 107 van 1998) en die EIA-regulasies (Goewermentskennisgewing Verordening (GNR) 543, gepubliseer 18 Junie 2010). 'n Kopie van die Omgewingsmagtiging wat verdere besonderhede aangaande die gemagtigde aktiwiteite en voorwaardes van die magtiging verskaf, is aangeheg aan hierdie brief en is ook beskikbaar op versoek vanaf die ondergetekende.

Belanghebbende en geaffekteerde partye kan appelleer teen die DEA se besluit ten opsigte van die Appèl prosedure soos uiteengesit in Hoofstuk 7 van die EIA Regulasies GNR 543.

Indien u sou belangstel om teen enige aspek van die besluit te appelleer, moet 'n kennisgewing van voorneme om te appelleer binne 20 dae van die datum van die besluit ingedien word (d.w.s 21 Januarie 2014).

Die voorneme om te appelleer moet ingedien word by die Minister van die DEA, en 'n kopie daarvan moet gestuur word aan die aansoeker Eskom binne 10 dae van die indiening van die voorneme om te appelleer.

Die kontak besonderhede is as volg:

METODE	Minister van die DEA	Eskom
Kontak Persoon	Kantoor van die Minister, DEA	Mnr. John Geeringh
Faks	012 320 7561	086 661 4064
Pos	Privaatsak X447, Pretoria, 0001	Posbus 1091, Johannesburg, 2000
Persoonlik	2de Vloer, Fedsure Building, North Tower, Hoek van Lilian Ngoyi (Van der Walt) en Pretorius Straat, Pretoria	Megawatt Park, 1 Maxwell Weg, Sunninghill

Nadat die kennisgewing van voorneme om te appelleer ingedien is, moet 'n skriftelike appèl saam met 'n verklaring wat die gronde van die appèl uiteensit asook enige stawende dokumentasie ingedien word, by die **Minister** (sien bogenoemde besonderhede) binne **30 dae nadat die bogenoemde 20 dae verval het (teen 20 Februarie 2014)**.

Dit sal waardeer word as die kennisgewing van voorneme om te appelleer asook die skriftelike appèl gestuur kan word aan Synergistics. Die besonderhede is soos volg:

Marline Medallie, Synergistics Environmental Services (Pty) Ltd

Tel: (011) 326-4158

Faks: (011) 326-4118

Epos: mmedallie@slrconsulting.com

Pos: Posbus 68821, Bryanston, 2021

Vriendelike Groete



Marline Medallie

M.Sc Botany (Molecular Systematics)

Senior Environmental Scientist

Synergistics Environmental Services (Pty) Ltd



environmental affairs

Department
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447, PRETORIA - 0001, Fedure Building, 315 Pretorius Street, PRETORIA
Tel (+ 27 12) 310 3911 - Fax (+ 2712) 322 2682

NEAS Reference: DEA/EIA/0001681/2013

DEA Reference: 14/12/16/3/3/2/467

Enquiries: Constance Musemburi

Telephone: 012-310-3881 Fax: 012-320-7539 E-mail: CMusemburi@environment.gov.za

Mr John Geeringh
Eskom Holdings SOC Limited
P. O. Box 1091
JOHANNESBURG
2000

Tel: (011) 516 7233

Fax: (086) 681 4064

PER FACSIMILE / MAIL

Dear Mr Geeringh

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543, 544 AND 545: THE RE-ALIGNMENT OF A SECTION OF AN EXISTING 275KV ESKOM POWER LINE AT SISHEN IRON ORE MINE WITHIN THE GAMAGARA LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

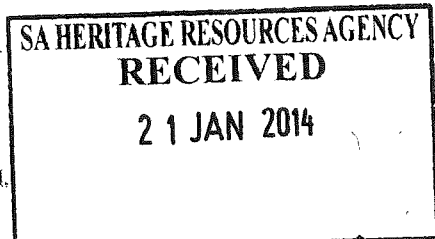
With reference to the above application, please be advised that the Department has grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

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 facsimile: 012 320 7561;
By post: Private Bag X447,
Pretoria, 0001; or
By hand: 2nd Floor, Fedure Building, North Tower,
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets, 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.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

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

Tel: 012 310 3271

Email: AppealsDirectorate@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours faithfully



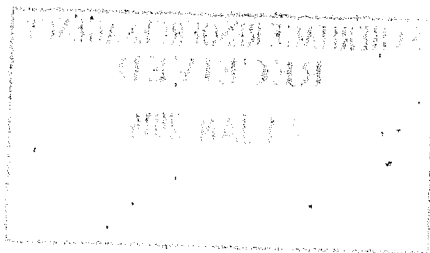
Mr Sonnyboy Bapela

Acting Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Date: 2013-12-13

CC:	Ms M. Medallie	Synergistics Environmental Services	Tel: 011-326-4158	Fax: 011-326-4118
	Mr S. Mbanjwa	Department of Environment and Nature Conservation	Tel: 053-807-7430	Fax: 053-831-3530
	Mr C. Joachim	Gamagara Local Municipality	Tel: 053-723-2261	Fax: 053-723-2021
	Mr S Malaza	Compliance Monitoring (DEA)	Tel: 012-310-3397	Fax: 012-320-5744



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 appeal 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 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.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

Re-alignment of a section of an existing 275kV Eskom power line at Sishen Iron Ore Mine within the Gamagara Local Municipality, Northern Cape Province.

John Taolo Gaetsewe District

Authorisation register number:	14/12/16/3/3/2/467
NEAS reference number:	DEA/EIA/0001681/2013
Last amended:	First issue
Holder of authorisation:	Eskom Holdings SOC Limited
Location of activity:	NORTHERN CAPE PROVINCE: Within the Gamagara Local Municipality

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 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 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

Mr John Geeringh

Eskom Holdings SOC Limited

P. O. Box 1091

JOHANNESBURG

2000

Tel: (011) 516 7233

Fax: (086) 661 4064

E-mail: john.geeringh@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 and 3 (GN R. 544, 545 & 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 of 18 June 2010: Activity number: 11</u></p> <p>The Construction of --</p> <p>(xi) infrastructure or structures covering 50 square metres or more</p> <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>Construction activities will occur within 32 metres of a watercourse.</p>
<p><u>GN. R. 544 of 18 June 2010: Activity Number: 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, shell grit, pebbles or rock or more than 5 cubic metres from:</p> <p>(i) a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving</p> <p>(i) is for maintenance purposes in accordance with a management plan agreed to by the relevant environmental authority; or</p> <p>(ii) occurs behind the development setback line.</p>	<p>More than 5 cubic metres will be filled or deposited into a watercourse during the construction of pylons.</p>
<p><u>GN. R. 544 of 18 June 2010: Activity Number: 27</u></p> <p>The decommissioning of existing facilities or infrastructure, for -</p> <p>(i) electricity transmission and distribution with a threshold of more than 132kV</p> <p>but excluding any facilities or infrastructure that commenced under an environmental authorisation issued in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government</p>	<p>Decommissioning of the section (approximately 12km) of the existing 275kV power line which will no longer be required due to the proposed re-alignment activities.</p>

Listed activities	Activity/Project description
Notice No. R. 385 of 2006, or Notice No. 543 of 2010.	
<p><u>GN. R. 545 of 18 June 2010: Activity Number: 8</u></p> <p>The construction 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.</p>	The re-alignment of a section (approximately 15.4km) of the 275kV power line.
<p><u>GN. R. 546 of 18 June 2010: Activity Number: 14</u></p> <p>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:</p> <p>(1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;</p> <p>(2) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;</p> <p>the undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape:</p> <p>i. All areas outside urban areas.</p>	Vegetation will be cleared for the construction of pylons.

as described in the Basic Assessment Report (BAR) dated 05 November 2013 at:

Alternative S1	Latitude	Longitude
Starting point of activity	27° 45'28.57"S	22° 54'52.49"E
Middle point of activity	27° 41'06.85"S	22° 54'34.12"E
End point of activity (TM2)	27° 40'10.89"S	22° 58'47.02"E

- for the re-alignment of a section of the 275kV Eskom power line at Sishen Iron Ore Mine, within the Gamagara Local Municipality, Northern Cape Province, hereafter referred to as "the property".

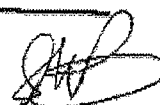
The project entails the re-alignment of a section (approximately 15.4km) of an existing 275kV Eskom power line at the Sishen Iron Ore Mine in the Northern Cape Province. The existing power line runs north-south through the Sishen Mine mining right area. The power line will be relocated to the western boundary of the mining right area.

The section (approximately 12km) of the existing 275kV power line which will no longer be required due to the proposed deviation activities will be decommissioned once the deviated power line becomes active.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The re-alignment of a section of the 275kV Eskom power line and the decommissioning of a section of the existing 275kV Eskom power line at Sishen Iron Ore Mine, within the Gamagara Local Municipality, Northern Cape Province with the above-mentioned co-ordinates as indicated in the final BAR dated 05 November 2013 is hereby authorised.
2. 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.
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 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.



6. This activity must commence within a period of five (5) 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.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

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 12 (twelve) 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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 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.
11. The holder of the authorisation must publish a notice –
 - 11.1. informing interested and affected parties of the decision;
 - 11.2. informing interested and affected parties where the decision can be accessed; and
 - 11.3. 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

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

Monitoring

13. The applicant must appoint a suitably 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
 - 13.1. The ECO must be appointed before commencement of any authorised activity/ies.
 - 13.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 13.4. 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

14. 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 the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report 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 EMPr.
17. 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.

Commencement of the activity

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.

19. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

Notification to authorities

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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 may coincide with the notice of intent to appeal period.

Operation of the activity

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall 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

24. All construction works must be limited to the authorised corridor in terms of the environmental authorisation dated 23 March 2010. Any route adjustment, due to the specific local circumstances, which deviates outside the authorised route corridor alignment, should be assessed and reported to the Department for acceptance in writing before implementation.

25. A search and rescue operation of transplantable protected species must be done. Rescued specimens can be transplanted immediately where possible to secure areas or be stored in a nursery area for use later during the rehabilitation process.
26. Construction areas must be clearly demarcated and only approved areas must be used for storage and cement mixing.
27. Any cement or concrete mixing must be done on an impervious surface.
28. Any solid waste must be disposed of at a landfill licensed in terms of the relevant legislation.
29. Anti-collision devices such as bird flappers must be installed where power line crosses avifaunal corridors.
30. Fuel storage and refuelling stations must be bunded and impermeable.
31. Generators and parked construction machinery must have drip trays.
32. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.
33. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008). Copies of all waste disposal certificates must be kept on site.

General

34. A copy of this authorisation and the approved EMPr must be kept at the property where the activity/ will be undertaken. The 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 works or undertakes work at the property.
35. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* and the *Director: Compliance Monitoring* at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
36. 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 applicant 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 applicant 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: 2013-12-13



Mr Sonnyboy Bapela

Acting Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the final BAR dated 05 November 2013;
- b) The comments received from organs of state and interested and affected parties as included in the final BAR dated 05 November 2013;
- c) The sense of balance of the negative and positive impacts and proposed mitigation measures as provided in the final BAR dated 05 November 2013 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the final BAR; and
- e) 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 was well explained and the Department considered the need of the project.
- c) The final BAR dated 05 November 2013 identified the relevant legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the final BAR dated 05 November 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 final BAR dated 05 November 2013 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 final BAR dated 05 November 2013 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.

