



agriculture, rural development,  
land & environmental affairs  
**MPUMALANGA PROVINCE**  
REPUBLIC OF SOUTH AFRICA

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LitikoLetekulima, Kutfufukiswa  
KwetindzawoTasemakhaya, Temhlaba  
Netesimondzawo

Departement van Landbou,  
LandelikeOntwikkeling,  
GrondenOngewing Sake

umNyangoweZelimo  
UkuThuthukiswakweeNdawozemaKhaya,  
iNarhaneNdabazeBhoduluko

**Enquiries** : Dineo Tswai  
**Telephone** : (013) 004 0766  
**Reference** : 1/3/1/16/1N-352  
**NEAS No.** : MPP/EIA/0001147/2023

**Enertrag South Africa (Pty) Ltd**  
Suite 104, Albion Springs  
183 Main Road  
Rondebosch  
**Cape Town**  
**7700**

Attention: Mercia Grimbeek  
Email: Mercia.Grimbeek@enertrag.com

Dear Madam,

**ENVIRONMENTAL AUTHORISATION FOR ACTIVITIES LISTED IN GOVERNMENT NOTICES R983 AND R985 (AS AMENDED) ASSOCIATED WITH THE DEVELOPMENT OF HENDRINA SOUTH 132KV OVERHEAD POWERLINE ON VARIOUS PORTIONS OF THE FARMS HENDRINA POWER STATION 162 IS, BOSCHMANSKOP 154 IS, ROODEPOORT 151 IS, ABERDEEN 158 IS, BROODSNYERSPLAAS 25 IS, DRIEFONTEIN 153 IS, GLORIA 186 IS, HAARTEBEEKSKRUIL 185 IS AND DUNBAR 189 IS, STEVE TSHWETE LOCAL MUNICIPALITY**

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

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to notify all registered interested and affected parties, in writing and within 14 days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulation 4(2) and 4(3) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014.

Your attention is drawn to the National Appeals Regulations, 2014, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of receiving this letter, by means of one of the following methods:

**By facsimile:** (013) 766 8295



**By post:** Private Bag x 11219  
Nelspruit  
1200

**By hand:** Samora Machel Building, No. 7 Government Boulevard  
Riverside Park Extension 2  
Nelspruit  
1200

Should you decide to appeal, you must also serve a copy of your appeal on all registered interested and affected parties and any organ of state with interest in the matter.

Yours faithfully,



**MR. C.M. CHUNDA**  
**HEAD: AGRICULTURE, RURAL DEVELOPMENT,**  
**LAND AND ENVIRONMENTAL AFFAIRS**  
**DATE: 14/08/23**

cc: Ms. Rendani Rasivhetshela  
Sivest SA (Pty) Ltd  
Email: rendanir@sivest.com

cc: Mr M Essop  
DFFE  
Email: messop@dffe.gov.za



## Environmental Authorisation

<b>Application number:</b>	1/3/1/16/1N-352
<b>Holder of Authorisation:</b>	Enertrag South Africa (Pty) Ltd
<b>NEAS reference number:</b>	MPP/EIA/0001147/2023
<b>Location of activity:</b>	Portions 0 and 11 of the farm the farm Hendrina Power Station 162 IS, Portions 8 and 154 of the farm Boschmanskop 154 IS, Portions 1, 13, 14 and 18 of the farm Roodepoort 151 IS, Portion 1 of the farm Aberdeen 158 IS, Portion 1 of the farm Broodsnyersplaas 25 IS, Portions 2, 12, 17 and 37 of the farm Driefontein 153 IS, Portion 0 of the farm Gloria 186 IS, Portions 3 and 4 of the farm Haartebeeskruil 185 IS, and Portions 0, 1, 3, 4, 5, 6 and 7 of the farm Dunbar 189 IS, Steve Tshwete Local Municipality, Mpumalanga Province.

### 1. 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 as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## 2. 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 2014 (as amended), the Department hereby authorises:

Enertrag South Africa (Pty) Ltd  
Suite 104, Albion Springs  
183 Main Road  
Rondebosch  
Cape Town  
7700

Attention: Mercia Grimbeek  
Tel: (021) 207 2181  
Email: Mercia.Grimbeek@enertrag.com

To undertake the following activities listed in Government Notices R983 and R985 of 4 December 2014 (as amended) associated with the development of Hendrina 132kV overhead power line connecting the Hendrina South Wind Energy Facility to the Hendrina Power Station (Grid Connection Alternative 1), Steve Tshwete Local Municipality, commencing at 26°2'5.14"S 29°35'46.33"E and ending at 26°12'6.61"S 29°33'41.93"E (hereafter referred to as "the activity"):

Activity number	Activity Description	Extent to which Activity is Authorised Where activities authorised are in accordance with the Preferred Route Alignment (Alternative 1) as included in Appendix 3 of the BAR dated April 2023
GN R983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV.	The development of a 132 Kv overhead power line, 23.7km in length, connecting the Hendrina South Wind energy Facility to the Hendrina Power Station
GN R983 Activity 12(ii)(a) (c)	The development of - infrastructure or structures with a physical footprint of 100m <sup>2</sup> or more; where such development occurs - within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	The development of power line infrastructure and associated access and maintenance roads within 32m of watercourses, and across watercourses along the approved powerline route, which will entail the excavation and infilling of material from and into a watercourse.
GN R985 Activity 14(ii)(a) (c)(f)(i) (ff)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> or more; where such development occurs within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	

	Inside urban areas, in areas zoned for use as public open space; or areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.	
GN R983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	
GN R983 Activity 24(ii)	The development of a road - with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	The clearance of indigenous vegetation for the purpose of constructing a 132kV overhead power line not more than 23.7km in length, which will require the erection of tower structures and the development of new access roads and the widening of existing roads.
GN R983 Activity 56(ii)	The widening of a road by more than 6m, or the lengthening of a road by more than 1km – where no reserve exists, where the existing road is wider than 8m.	
GN R985 Activity 4(f)(i)(ee)	The development of a road wider than 4m with a reserve less than 13.5m outside urban areas; Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R985 Activity 12(f)(ii)	The clearance of an area of 300m <sup>2</sup> or more of indigenous vegetation within critical biodiversity areas as identified in bioregional plans.	

The granting of this environmental authorisation includes the conditions set out below.

### 3. Conditions of Authorisation

#### Scope of authorisation

- 3.1. 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.
- 3.2. Commencement for the purposes of all conditions of this authorisation means the start of any physical implementation in furtherance of the activity, including site preparation, clearance of vegetation, and any other action on the site.
- 3.3. The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.4. The activity which is authorised may only be carried out at the property indicated above.
- 3.5. 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.

- 3.6. In the event that the impacts exceed the significance as predicted in the basic assessment report, the authorisation may be suspended and/or withdrawn after proper procedures have been followed.
- 3.7. In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.8. The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.9. This environmental authorisation is granted for a period of forty (40) years from the date of authorisation. The activity must commence and be concluded within ten (10) years from the date of this environmental authorisation.
- 3.10. The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.11. 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, including, *inter alia*, the National Forests Act, 1998 (Act 84 of 1998), the National Water Act, 1998 (Act No. 36 of 1998), the National Environmental Management: Waste Act (Act 59 of 2008), the National Forests Act, 1998 (Act 84 of 1998), the Conservation of Agricultural Resources Act, 1983 (act 43 of 1983), as amended, the National Heritage Resources Act, 1999 (Act 25 of 1999), and the provisions of all relevant SABS and SANS standards.

#### **Appeal of authorisation**

- 3.12. The applicant must, in writing, within fourteen (14) days of the date of the decision on the application ensure that-
  - a) All registered interested and affected parties are provided with access to the decision and the reasons for such decision.
  - b) The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations 2014, if such appeal is available in the circumstances of the decision.
  - c) The decision includes the complete environmental authorisation granted or refused.

#### **Commencement of the activity**

- 3.13. The authorised activity must 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 event that an appeal is lodged, the activity must not commence until such time that the appeal has been finalised.

#### **Management and monitoring of the activities**

- 3.14. The Environmental Management Programme (EMPr) submitted as part of the basic assessment report is hereby approved, and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.15. Prior to commencement, plant species of conservation importance (endemic, protected, Red Data) must be identified and marked, and may not be disturbed, or,

- where required, the relevant permits for their relocation or removal must be obtained from the relevant authority.
- 3.16. Any plant species categorized as Endangered or Critically Endangered in terms of the Red List of South African Plants must be conserved *in situ*.
  - 3.17. Plant species of conservation concern that are identified for relocation must be relocated to areas of similar habitat that will not be transformed, unless otherwise stipulated by the relevant permitting authority. Such species must be monitored and managed until such time that they have, in consultation with the ECO, been determined to be successfully re-established.
  - 3.18. Prior to commencement, plant species of conservation importance (endemic, protected, Red Data) must be identified and marked, and may not be disturbed, or, where required, the relevant permits for their relocation or removal must be obtained from the relevant authority.
  - 3.19. If any faunal species are recorded during construction, activities must temporarily cease and allow for the species to move away.
  - 3.20. In the event where fossils are discovered on the surface or during drilling or excavation, the fossil chance find protocol must be implemented and adhered to.
  - 3.21. Pylons and substations must be located outside wetlands, watercourses and their buffer zones.
  - 3.22. The infrastructure placement must adhere to the sensitivity mapping in accordance with the basic assessment report.
  - 3.23. Bird Flight Diverters must be fitted to the power line in accordance with the applicable Eskom Engineering Instructions (Eskom Unique Identifier 240-93563150: The utilisation of Bird Flight Diverters on Eskom overhead lines).
  - 3.24. The disturbance of nests or breeding activities of birds, reptiles, or any other wildlife, is strictly prohibited.
  - 3.25. All vertebrates, including slow moving reptiles and smaller mammals, must be allowed to move unharmed, or be assisted and relocated in consultation with the Environmental Control Officer, to areas of similar habitat that will not be transformed.
  - 3.26. The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the final EMPr.
    - 3.26.1. The ECO must be appointed before commencement and the Department must be notified of such an appointment for communication purposes.
    - 3.26.2. The ECO must oversee the identification, and relocation or removal of plant species of conservation importance.
    - 3.26.3. The ECO must oversee the identification of endangered or critically endangered plant species, which must be reported to Mpumalanga Tourism and Parks Agency and conserved *in situ*.
    - 3.26.4. The ECO must oversee faunal search and rescue prior to and during site clearing activities.
    - 3.26.5. The ECO must oversee all surveying and demarcation activities.
    - 3.26.6. The ECO must monitor contractors' entry into sensitive habitat.
    - 3.26.7. The ECO must monitor the restriction of vegetation clearance and construction to designated areas.
    - 3.26.8. The ECO must oversee the implementation of an alien plant control program.
    - 3.26.9. During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such

- reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
- 3.26.10. The ECO must oversee and monitor the success of all rehabilitation activities.
  - 3.26.11. The ECO must maintain the following on site: A site diary; copies of all reports submitted to the Department; and a complaints register of all public complaints and the remedies applied to such complaints
  - 3.26.12. The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.
- 3.27. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase. 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 conditions of this authorisation as well as the requirements of the EMPr.
- 3.28. The Department retains the right to monitor or inspect the proposed project throughout its lifecycle.

#### **Commissioning and operation of the activity**

- 3.29. Fourteen (14) days written notice must be given to the Department that the activity will commence. The notice must include a date on which it is anticipated that the activity will commence, and must include the name and contact details of the appointed ECO.
- 3.30. The perimeter of the area to be cleared must be defined and demarcation of material lay down areas must precede all activities on site.
- 3.31. The activities must not cause or result in the impediment of any watercourses.
- 3.32. The removal of material on site may not result in the destabilization of watercourse banks adjacent or downstream.
- 3.33. Topsoil must be stockpiled at a height not exceeding 1.5m at a pre-designated location for use during landscaping.
- 3.34. Topsoil stockpiles may not have slopes steeper than 1:2.5 and may not be compacted in any way or stockpiled for a period longer than 6 months.
- 3.35. No surface storm water generated as a result of the activity may be channeled directly into any wetland or watercourse.
- 3.36. Storm water management must be implemented to prevent the ingress of runoff into excavations and to prevent contaminated runoff into watercourses.
- 3.37. Surface water rich in sediments and other pollutants must be prevented from entering any watercourse or wetland, and all mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
- 3.38. No fuels or contaminated water may be discharged into storm water pipes or sewers.
- 3.39. Increased runoff due to vegetation clearance and/or soil compaction and/or any hardened surfaces must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering watercourses.
- 3.40. Scouring, erosion or sedimentation of all watercourses must be prevented, and the stability of watercourses may not be detrimentally affected.



- 3.41. Where ablution facilities for construction personnel are required, dry chemical toilet facilities or e-loos must be provided on site at a ratio of 1:10 for construction staff. Ablution facilities may not be located within 50m from any watercourse.
- 3.42. Chemical toilets must be maintained and cleaned regularly and effluent must be disposed of off-site into an approved municipal sewage system.
- 3.43. The storage and handling of fuel, lubricants and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.44. The mixing of cement, asphalt, chemicals or other noxious materials must be undertaken in designated areas on, as far as practicable, an impermeable layer.
- 3.45. Environmental contamination as a result of oil, fuel or hydraulic fluid leakages must be prevented.
- 3.46. Pollution due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.47. It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as underground water.
- 3.48. All general waste generated on the site must be disposed of in a registered landfill site or as directed by any other relevant authority, and hazardous waste must be disposed of at an official registered site, or be removed by registered hazardous waste contractors.
- 3.49. Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
- 3.50. Complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.

### **General**

- 3.51. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation 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.
- 3.52. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.53. 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 regulations.
- 3.54. 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 vegetation clearance 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.

**ENVIRONMENTAL AUTHORISATION APPROVED BY:**



**MR. C.M. CHUNDA**

**HEAD: AGRICULTURE, RURAL DEVELOPMENT,  
LAND AND ENVIRONMENTAL AFFAIRS**

**DATE: 14/08/23**

## Annexure 1: Reasons for the Decision

### 1. Background

- 1.1. The applicant, Enertrag South Africa (Pty) Ltd, applied for authorisation to carry out the following activities listed in Government Notices R983 and R985 of 4 December 2014 (as amended) associated with the development of Hendrina 132kV overhead power line connecting the Hendrina South Wind Energy Facility to the Hendrina Power Station (Grid Connection Alternative 1), Steve Tshwete Local Municipality, commencing at 26°2'5.14"S 29°35'46.33"E and ending at 26°12'6.61"S 29°33'41.93"E:

Activity number	Activity Description	Extent to which Activity is Authorised Where activities authorised are in accordance with the Preferred Route Alignment (Alternative 1) as included in Appendix 3 of the BAR dated April 2023
GN R983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV.	The development of a 132 Kv overhead power line, 23.7km in length, connecting the Hendrina South Wind energy Facility to the Hendrina Power Station
GN R983 Activity 12(ii)(a) (c)	The development of - infrastructure or structures with a physical footprint of 100m <sup>2</sup> or more; where such development occurs - within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	The development of power line infrastructure and associated access and maintenance roads within 32m of watercourses, and across watercourses along the approved powerline route, which will entail the excavation and infilling of material from and into a watercourse.
GN R985 Activity 14(ii)(a) (c)(f)(i) (ff)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> or more; where such development occurs within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse. Inside urban areas, in areas zoned for use as public open space; or areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.	
GN R983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	
GN R983 Activity 24(ii)	The development of a road - with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	The clearance of indigenous vegetation for the purpose of

GN R983 Activity 56(ii)	The widening of a road by more than 6m, or the lengthening of a road by more than 1km – where no reserve exists, where the existing road is wider than 8m.	constructing a 132kV overhead power line not more than 23.7km in length, which will require the erection of tower structures and the development of new access roads and the widening of existing roads.
GN R985 Activity 4(f)(i)(ee)	The development of a road wider than 4m with a reserve less than 13.5m outside urban areas; Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R985 Activity 12(f)(ii)	The clearance of an area of 300m <sup>2</sup> or more of indigenous vegetation within critical biodiversity areas as identified in bioregional plans.	

- 1.2. The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

SiVEST SA (Pty) Ltd  
P O Box 2921  
Rivonia  
2128

Contact Person: Ms. Rendani Rasivhetshele  
Tel: 011 798 0634  
Email: rendanir@sivest.com

**2. Information considered in making the decision.**

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the application form received by the Department on 7 February 2023 and acknowledged on 9 February 2023.
- b) The information contained in the basic assessment report and the environmental management programme dated April 2023, received by the Department on 24 April 2023, and acknowledged on 29 April 2023.
- c) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Mpumalanga Biodiversity Sector Plan.

**3. 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) Biophysical impact
- b) Sustainability
- c) Need and desirability

**4. Findings**

After consideration of the information and factors listed above, the Department made the following findings:

- a) According to the basic assessment report, the proposed activity is considered to be environmentally, economically and socially sustainable.
- b) According to the basic assessment report, adequate mitigation measures will be

- implemented to reduce potential impacts to acceptable levels.
- c) Mitigation measures and recommendations outlined in the basic assessment report and environmental management programme are appropriate and practical for implementation, and it is anticipated that they will reduce the significance of potential impacts.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The application is accordingly granted.