



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/22-23/E3454

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Balwin Properties Limited on behalf of Eskom
105 Corlett Drive
MELROSE
2196

By Registered Mail

Email: danew@balwin.co.za

Telephone Number: 011 450 2818

Dear Mr. Dane Warden,

GDARD
Office of the Hon
20 OCT 2023
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ENVIRONMENTAL AUTHORISATION GRANTED: THE PROPOSED BUCCLEUCH ESKOM MV ELECTRICAL LINE ON ERF 61, ERF 256 AND EXISTING ROAD RESERVES WITHIN BUCCLEUCH, MIDRAND, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

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

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, as amended, you must notify all registered interested and affected parties, in writing, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the registered interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of this decision, he/she must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable. The appeal(s) must be submitted in writing by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
P. O. Box 8769
Johannesburg
2000

Physical Address

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
56 Eloff Street, Umnotho House, 23rd Floor
Johannesburg
2000

Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere, at telephone number 011 240 3204 or email address tsholofelo.mere@gauteng.gov.za. The appeal form is also available from our website: www.gauteng.gov.za. Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kindly take note that in terms of Section 43(7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of appeal suspends environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards



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20 OCT 2023
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MS. MATILDA GASELA
ACTING HEAD OF DEPARTMENT: AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT

DATE: 20 OCTOBER 2023



ENVIRONMENTAL AUTHORISATION

GDARD
 Office of the HOD
 20 OCT 2023
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Reference Number:	GAUT 002/22-23/E3454
Holder of Authorisation:	Balwin Properties Limited on behalf of Eskom
Location of Activity / Activities:	Bucleuch substation on Erf 61 Bucleuch, running within the road reserves of Gibson Drive West, Bucleuch Drive, crossing Erf 256 Bucleuch, along Alison Avenue, Bridge Road, Muller Street North, Perth Street and Denise Road, and ending at the existing mini substation situated in Denise Road, Bucleuch.

		Latitude (S)	Longitude (E)
Coordinates Linear Activity:	Starting Point:	26° 03' 46.99"	28° 05' 56.38"
	Middle Point:	26° 3'25.52"	28° 06'14.11"
		26° 3'00.53"	28° 06'17.08"
	End Point:	26° 02' 42.57"	28° 06' 27.29"

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1. Decision

The Department is satisfied, on the basis of the 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.

2. Activities Authorised

Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises-

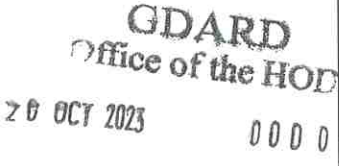
Balwin Properties Limited on behalf of Eskom (hereafter referred to as the Applicant)

with the following contact details-

105 Corlett Drive
MELROSE
 2196

Tel No.: 011 450 2818
 Email: danew@balwin.co.za

to undertake the activities (hereafter referred to as "activity") listed in the table below:

Activity number and description	Proposed activity/development description
GNR 327: Activity 19 (Listing Notice 1): The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from (i) a watercourse;	The proposed 11kV electrical line includes two watercourse crossings of the Jukskei River and one freeway crossing (N3 Eastern Bypass) where directional drilling is required.
GNR 324: Activity 12(c)(i)(ii) (Listing Notice 3): The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance plan. (c) In Gauteng (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of 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; (ii) Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans;	The proposed electrical line will be situated along existing road reserves however, it will also traverse Ecological Support Area and Important Area (CBA) according to Gauteng C-Plan. <div style="text-align: right;">  </div>
GNR 324, Activity 14 (ii) (Listing Notice 3): The development of - (ii) infrastructure or structures with a physical footprint of 10 square meters or more; where such development occurs- (a) within a watercourse; (c) Gauteng (iv) Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans. (v) Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act 10 of 2004)	Two sections of the line are aligned to traverse the Jukskei River and the areas around the river are regarded as Ecological Support Areas and Important Areas as per Gauteng C-Plan Version 3.3.

- for the proposed installation of approximately 3 km long 11kV underground medium voltage (MV) electrical line within Buccleuch, Sandton, which falls within the jurisdiction of the City of Johannesburg Metropolitan Municipality.

GDARD
Office of the HOD

20 OCT 2023

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Scope of Environmental Authorisation.

3. Specific Conditions

- 3.1 Environmental Authorisation is granted for the proposed installation of approximately 3 km long 11kV underground medium voltage (MV) electrical line to provide a 132kV supply from the AECI Buccleuch substation to the mini substation located on Denise Road (Buccleuch) to provide electrical supply for the developments in Waterfall area. The installation must be according to the facility illustration attached as Appendix C of the report. The total size of the area to be disturbed in road servitudes and areas where open excavations are required will be approximately 12 000m² and the total size of the area to be disturbed in watercourse areas will approximately be 300m².
- 3.2 The environmental authorisation does not authorise any other activity except what has been proposed for underground medium voltage electrical line.
- 3.3 The signage must be displayed during the installation phase to inform the public about potentially dangerous conditions on site.
- 3.4 The applicant must ensure that vehicles used for construction purposes are maintained in good condition to minimise noise, vehicle exhaust emissions, and the risk of soil contamination through the leakage of lubricants and hydraulic fluids.
- 3.5 If any soil contamination occurs during the construction phase of the proposed activity, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal and this Department must be informed in this regard.
- 3.6 Rehabilitation of all areas to be disturbed within the watercourse must be undertaken in accordance with Wetland Assessment Report, where:
 - Bare areas to be revegetated with indigenous vegetation to keep soil integrity and assist with reestablishment of wetland species after construction.
 - Bare areas to be minimised and re-vegetated as soon as construction is completed.
- 3.7 If any archeological sites, cultural heritage resources, historical houses or graves are found during excavations and foundations of the proposed development, then the development or construction must be stopped and a Paleontologist or archeological or heritage specialist must be contacted to assess the findings and to contact the Gauteng Provincial Heritage Resource Agency.

4. Commencement of operational and non-operational of the activity

- 4.1 The construction and related operation of the proposed activity must commence within a period of 10 years from the date of signature of this environmental authorisation. If commencement of the proposed activity does not occur within the said period of 10 years, the environmental authorisation lapses and a new application for environmental authorisation must be made in order for the proposed activity to be undertaken.
- 4.2 Continuation of the authorised activity after the lapsing period of this EA and where such continuation will meet the threshold of any listed activity, will constitute an offence.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

5. Management of the activity or activities

The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation (EA) is also authorised in terms of this EA and must be implemented. In addition to the above, all waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill or waste disposal site must be the last option. Proof of disposal of waste must be kept on site and made available to this Department upon request.

6. Monitoring and Reporting

- 6.1 An independent Environmental Control Officer (ECO) must be appointed to oversee the development activities and guide compliance with the conditions of environmental authorisation and EMPr. An ECO must submit compliance report at least once during preparation and construction phase of the development and one post development rehabilitation phase to mark completion of construction development.
- 6.2 An ECO must be appointed prior to any commencement of the authorised activities.
- 6.3 Once appointed, the name and contact details of the ECO must be submitted to this Department's Compliance Monitoring Section. Documentation such as monitoring or audit or compliance reports and notifications, required to be submitted, must be submitted thereto.
- 6.4 Frequency of the submission of environmental audit report within 30 days after completion of the construction phase and a final environmental audit report within 30 days after the completion of the development including associated post development rehabilitation and monitoring actions must be done in 06 (six) months.
- 6.5 The ECO must keep records of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken by the ECO.
- 6.6 The environmental audit report must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of the environmental authorisation as well as the requirements of the EMPr.
- 6.7 Records relating to monitoring and auditing must be kept on the site and be made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the proposed development.

7. Notification of commencement of activity

- 7.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to the Director: Compliance Monitoring, Ms. Sasa Sekhotha, the official of the Department at the email address: Sasa.Sekhotha@gauteng.gov.za.

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Office of the HOD
20 OCT 2023
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8. General Conditions

- 8.1 The conditions of this EA are binding to the applicant ("Holder of EA"), including 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 applicant.
- 8.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 8.3 Any changes to, or deviation from the activity or activities' description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are affected. In assessing whether to approve such changes, 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 applicant to apply for further authorisations in terms of the Regulations.
- 8.4 Where any of the applicant's contact details changes, including the name of the applicant, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 8.5 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 8.6 This EA and EMPr must be kept at the property or site where the activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.

- 8.7 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.
- 8.8 If the Department has reason to believe that the EA was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend with immediate effect, the EA and direct the holder of such EA forthwith, to cease the activity that have been commenced with or to refrain from commencing any activity pending a decision to withdraw the EA.

Date of the Environmental Authorisation:

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20 OCTOBER 2023

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Office of the HOD

20 OCT 2023

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ANNEXURE 1: REASON FOR DECISION

1. Information considered in making the decision

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

- 1.1 The information contained in the Final Basic Assessment Report received by the Department on 01 September 2023.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3 and the Gauteng Provincial Environmental Management Framework (GPEMF), 2021.
- 1.3 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) (as amended).
- 1.4 Screening tool report dated 03/03/2023.
- 1.5 The finding of the site inspection undertaken by Ms. Edith Ngoma, an official of the Department on 15 September 2023.

2. Key factors considered in making the decision

All information presented to the Department was considered 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.

- 2.1 The sensitivities of the site.
- 2.2 Need and desirability of the proposed electrical line and the surrounding environment.
- 2.3 The comments received from the registered Interested and Affected Parties as included in the Final Basic Assessment Report as part of the public participation process.

3. Findings

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

- 3.1 The proposed electrical line will be installed underground within road reserves and the alignment for the cable includes two (2) watercourse crossings at road bridges (Bucleuch Drive Bridge and Bridge Drive Bridge) within Bucleuch suburb and one freeway crossing (at the N3 Eastern Bypass). According to the Gauteng Conservation Plan (C-Plan Version 3.3), the site mainly where the proposed underground cable will cross the watercourse is designated as being within Critical Biodiversity Area (Important Area) and Ecological Support Area with the presence of river streams / wetland, Primary Vegetation, Endangered Threatened Ecosystem, Orange Listed Plant and habitat for Red Listed Plant. The sensitive areas will cover about 300m² of a total development footprint of 12 300m², about 2.5% in total. In addition, a General Authorisation Registration has been lodged with the Department of Water and Sanitation which will lead to supplementary mitigations being added by that Department for those activities that will take place within the watercourse. The directional drilling drill pit positions have been amended to accommodate the City of Johannesburg Catchment Management Policy (2009). The location of the drill pits has been relocated to positions outside of the 1:100-year flood-lines.
- 3.2 The site is surrounded by medium to high density residential, educational facilities, commercial and warehousing, light industrial, Public Open Space, river/stream and major roads, therefore, the proposed electrical line will be suitable within the area in view of the surrounding activities. The proposed MV electrical line will supply electricity for developments in Waterfall area in Midrand and will also provide for other planned developments in the area.
- 3.3 Comments were received from registered interested and affected parties and were responded (considered) to in the comments and response report. The public participation process was undertaken in accordance with the requirements of the EIA Regulations, 2014. The advertisement was placed in "The Star" newspaper on 12 January 2023, site notices

20 OCT 2023
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Office of the EOD
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were placed on various conspicuous places on site and written notices were sent to various stakeholders.

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

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20 OCT 2023
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