



**EIA REFERENCE:** 16/3/3/1/F5/16/2052/24  
**NEAS REFERENCE:** WCP/EIA/0001521/2024  
**DATE OF ISSUE:** 06 May 2025

The Municipal Manager  
Swartland Municipality  
Private Bag X52  
**MALMESBURY**  
7299

**For Attention: Mr. M. J. Möller**

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E-mail: [MollerT@swartland.org.za](mailto:MollerT@swartland.org.za) /  
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**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED ESTABLISHMENT OF 132 KILOVOLT ("KV") OVERHEAD POWERLINE (DE HOOP 132KV OVERHEAD POWERLINE) AND LOOP-IN, LOOP-OUT FROM THE ESKOM NATIONAL ELECTRICITY GRID TO THE EXISTING DE HOOP HOUSING DEVELOPMENT SUBSTATION THAT WILL TRAVERSE THE REMAINDER OF THE FARM NO. 1113, PORTION 18 OF THE FARM NO. 766, PORTION 13 OF THE FARM NO. 766, THE REMAINDER OF PORTION 8 OF THE FARM NO. 766, PORTION 24 OF THE FARM NO. 766, THE REMAINDER OF PORTION 15 OF THE FARM NO. 766 AND ERVEN 373, 12081 AND 12496, MALMESBURY**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within fourteen (14) days of the date of the decision on the application, that all registered Interested and Affected Parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarised in the Environmental Authorisation below.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

**Zaahir Toefy**

Digitally signed by Zaahir Toefy  
Date: 2025.05.06 12:04:45  
+02'00'

**MR ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copied to:

- (1) Mr. B. de Witt (EnviroAfrica cc)
- (2) Mr. C. Geyser (EnviroAfrica cc)
- (3) Mr. A. Zaayman (Swartland Local Municipality)

E-mail: [bernard@enviroafrica.co.za](mailto:bernard@enviroafrica.co.za)  
E-mail: [clinton@enviroafrica.co.za](mailto:clinton@enviroafrica.co.za)  
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**EIA REFERENCE:** 16/3/3/1/F5/16/2052/24  
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## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED ESTABLISHMENT OF 132 KILOVOLT ("KV") OVERHEAD POWERLINE (DE HOOP 132KV OVERHEAD POWERLINE) AND LOOP-IN, LOOP-OUT FROM THE ESKOM NATIONAL ELECTRICITY GRID TO THE EXISTING DE HOOP HOUSING DEVELOPMENT SUBSTATION THAT WILL TRAVERSE THE REMAINDER OF THE FARM NO. 1113, PORTION 18 OF THE FARM NO. 766, PORTION 13 OF THE FARM NO. 766, THE REMAINDER OF PORTION 8 OF THE FARM NO. 766, PORTION 24 OF THE FARM NO. 766, THE REMAINDER OF PORTION 15 OF THE FARM NO. 766 AND ERVEN 373, 12081 AND 12496, MALMESBURY**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the Listed Activities specified in section B below with respect to the Preferred Alternative (detailed in the final BAR, as the Preferred Property, Layout and Site Alternative) and described in the final Basic Assessment Report ("BAR"), dated 14 January 2025.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

### A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

Swartland Municipality  
C/O Mr. M. J. Möller  
Private Bag X52  
**MALMESBURY**  
7299

Tel.: (022)487 9400

E-mail: [MollerT@swartland.org.za](mailto:MollerT@swartland.org.za) / [swartlandmun@swartland.org.za](mailto:swartlandmun@swartland.org.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

**B. LISTED ACTIVITIES AUTHORISED**

Listed Activity	Activity/Project Description
<p><b>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</b></p> <p><b>Activity Number: 11</b>  <b>Activity Description:</b>  <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 kilovolts; or</i></p> <p>(ii) <i>inside urban areas or industrial complexes with a capacity of 275 kilovolts or more;</i></p> <p><i>excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is—</i></p> <p>(a) <i>temporarily required to allow for maintenance of existing infrastructure;</i></p> <p>(b) <i>2 kilometres or shorter in length;</i></p> <p>(c) <i>within an existing transmission line servitude; and</i></p> <p>(d) <i>will be removed within 18 months of the commencement of development.”</i></p>	<p>The 132 Kilovolt (“kV”) overhead powerline will be established both inside and outside of an Urban Area.</p>
<p><b>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</b></p> <p><b>Activity Number: 12</b>  <b>Activity Description:</b>  <i>“The development of—</i></p> <p>(i) <i>dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i></p> <p>(ii) <i>infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs—</i></p> <p>(a) <i>within a watercourse;</i></p> <p>(b) <i>in front of a development setback; or</i></p> <p>(c) <i>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</i></p> <p><i>excluding—</i></p> <p>(aa) <i>the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i></p> <p>(bb) <i>where such development activities are related to the development of a port or</i></p>	<p>The 132 kV overhead powerline development will be crossing the Diep River and structures with a total footprint of 100 square metres or more will either be constructed in or within 32 meters of the said watercourse.</p>

<p>harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared."</p>	
<p><b>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</b></p> <p><b>Activity Number: 19</b>  <b>Activity Description:</b>  <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</p>	<p>Excavations, removal or moving of material of more than 10 cubic metres from a watercourse will take place during the construction phase.</p>

**Listing Notice 3 of the EIA Regulations, 2014  
(as amended)–**

**Activity Number: 12**

**Activity Description:**

*"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 management plan.*

**i. Western Cape**

- 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;*
- ii. *Within critical biodiversity areas identified in bioregional plans;*
- iii. *Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;*
- iv. *On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or*
- v. *On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister."*

More than 300 square metres of remnants of Endangered and Critically Endangered indigenous vegetation will be cleared.

**Listing Notice 3 of the EIA Regulations, 2014  
(as amended)–**

**Activity Number: 14**

**Activity Description:**

*"The development of—*

- (i) *dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres;*  
*or*
- (ii) *infrastructure or structures with a physical footprint of 10 square metres or more;*

*where such development occurs—*

- (a) *within a watercourse;*

The 132kV overhead powerline development will be crossing the Diep River and the associated structures with a footprint exceeding 10 square metres will either be constructed in or within 32 meters of the said watercourse.

- (b) *in front of a development setback; or*
- (c) *if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour*

**i. Western Cape**

- i. *Outside urban areas:*
  - (aa) *A protected area identified in terms of NEMPAA, excluding conservancies;*
  - (bb) *National Protected Area Expansion Strategy Focus areas;*
  - (cc) *World Heritage Sites;*
  - (dd) *Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;*
  - (ee) *Sites or areas listed in terms of an international convention;*
  - (ff) *Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*
  - (gg) *Core areas in biosphere reserves; or*
  - (hh) *Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined."*

The abovementioned list is hereinafter referred to as "**the Listed Activities**".

The holder is herein authorised to undertake the following alternative that includes the abovementioned Listed Activities:

The development of a 132kV overhead powerline, which will span a distance of approximately 4500m from the Eskom National Electricity Grid to the existing De Hoop housing development substation located on the Remainder of Portion 15 of the Farm No, 766, Malmesbury.

The linear footprint of the overhead powerline will include a working area of approximately 100m area to allow for a final adjustment of where the powerline and associated structures are to be placed, before the required final 31m servitude required by Eskom.

The connection to the 132kV overhead powerline will be facilitated by a loop-in loop-out configuration structure, and includes the following associated infrastructure:

- Supporting towers/pylons (monopole-type at a height of not exceeding 20.1m (above ground level) in regular intervals of approximately 100m – 200m);
- Conductors; and
- Insulators.

The total development area will amount to approximately 140 000m<sup>2</sup>.

### C. SITE DESCRIPTION AND LOCATION

The 132kV overhead powerline will traverse the following properties:

- Remainder of Farm 1113, Malmesbury
- Portion 18 of the Farm 766, Malmesbury
- Portion 13 of the Farm 766, Malmesbury
- Remainder of Portion 8 of the Farm 766, Malmesbury
- Portion 22 of the Farm 766, Malmesbury
- Portion 24 of the Farm 766, Malmesbury
- Remainder of Portion 15 of the Farm 766, Malmesbury
- Erf 373, Malmesbury
- Erf 12081, Malmesbury
- Erf 12496, Malmesbury

The SG 21-digit codes for the distribution line are given below:

Remainder of Farm 1113	C04600000000111300000
Portion 18 of the Farm 766	C04600000000076600018
Portion 13 of the Farm 766	C04600000000076600013
Remainder of Portion 8 of the Farm 766	C04600000000076600008
Portion 22 of the Farm 766	C04600000000076600022
Portion 24 of the Farm 766	C04600000000076600024
Remainder of Portion 15 of the Farm 766	C04600000000076600015
Erf 373	C04600160000037300000
Erf 12081	C04600080001208100000
Erf 12496	C04600080001249600000

The co-ordinates for the route are given below:

Starting point co-ordinates			
Latitude (S)	33°	30'	16.83"
Longitude (E)	18°	41'	41.83"
Middle point co-ordinates			
Latitude (S)	33°	28'	48.65"
Longitude (E)	18°	41'	24.78"
End point co-ordinates			
Latitude (S)	33°	28'	16.46"
Longitude (E)	18°	41'	22.38"

Refer to **Annexure 1**: Locality Map, which illustrates the route of the overhead powerline.

**Annexure 2**: The Route Maps

The above property is hereinafter referred to as "**the site**".

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

EnviroAfrica CC  
C/O Mr. Clinton Geysler (Registered EAP)  
P. O. Box 5367  
**HELDERBERG**  
7135

Tel.: (021) 851 1616  
E-mail: [clinton@enviroafrica.co.za](mailto:clinton@enviroafrica.co.za)

## E. CONDITIONS OF AUTHORISATION

### Scope of Authorisation

1. The holder is authorised to undertake the Listed Activities specified in Section B above in accordance with and restricted to the Preferred Alternative (detailed in the final BAR as the Preferred Property, Layout and Site Alternative) described in Section B above.
2. The holder must commence with, and conclude, the Listed Activities within the stipulated validity period, which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

This Environmental Authorisation is granted for –

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised Listed Activities.
  - (b) A period of ten (10) years, from the date the holder commenced with the authorised Listed Activities, during which period the authorised Listed Activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.
  4. Any changes to, or deviations from the scope of the alternative described in section B above must be approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written Notice to the Competent Authority

5. A written notice of seven (7) calendar days must be given to the Competent Authority before the site preparation, clearance and construction can be commenced with.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 11 and 22.1.

## **Notification of Environmental Authorisation and Administration of Appeal**

6. The holder must in writing, within fourteen (14) calendar days of the date of this decision–
  - 6.1. notify all registered Interested and Affected Parties (“I&APs”) of –
    - 6.1.1. the decision reached on the application;
    - 6.1.2. the reasons for the decision, as included in Annexure 3;
    - 6.1.3. the date of the decision; and
    - 6.1.4. the date when the decision was issued.
  - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section H below;
  - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 6.4. provide the registered I&APs with the:
    - 6.4.1. name of the holder (entity) of this Environmental Authorisation;
    - 6.4.2. name of the responsible person for this Environmental Authorisation;
    - 6.4.3. postal address of the holder;
    - 6.4.4. telephonic and fax details of the holder;
    - 6.4.5. e-mail address, if any, of the holder; and
    - 6.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeals Regulations, 2014 (as amended).

## **Commencement**

7. The Listed Activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notifies the registered I&APs of this decision.
8. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

## **Management of Activities**

9. The final Environmental Management Programme (“EMPr”) (dated November 2024), is hereby approved and must be implemented.
10. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.

## **Monitoring**

11. The holder must appoint a suitably experienced Environmental Control Officer (“ECO”) before the Listed Activities can be commenced with, to ensure compliance with the EMPrs and the conditions contained herein. The ECO must submit ECO reports on a quarterly basis for the duration of the construction phase.
12. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the clearance activities and thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the

Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

## Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPs. Environmental audit reports must be compiled and submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person with the relevant expertise and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
15. The audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
  - 15.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase;
  - 15.2. A final audit report must be submitted within **three (3) months** of the development being completed; and
  - 15.3. The holder must submit an environmental audit report **every five (5) years**, whilst the Environmental Authorisation remains valid.
16. The audit report must indicate compliance status with the conditions of this Environmental Authorisation and the EMP and make recommendations for improved environmental management.
17. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

## Specific Conditions

18. Should any heritage remains be exposed during excavations or any other actions on the site, this must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
19. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
20. An integrated waste management approach must be used based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste that cannot be recycled, re-use shall be disposed of at a licensed waste disposal facility.
21. No potable water must be used for dust suppression purposes, as far as possible.

22. The following provision, as detailed in the approved EMPr, must be adhered to and proof thereof submitted to the Competent Authority along with the notification of commencement of construction activities:
  - 22.1. A notification to the Civil Aviation Authority ("CAA") and Malmesbury Airfield Authorities must be made before preparation, clearance and construction work can be commenced with.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the Listed Activities.
2. Non-compliance with any Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the Listed Activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended), must be submitted.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (as amended) or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations, 2025.

1. An appellant (if the holder of the decision) must, within twenty (20) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2025 to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the Competent Authority that issued the decision.
2. An appellant (if not the holder of the decision) must, within twenty (20) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2025 to the Appeal Administrator; and

- 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within twenty (20) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:  
By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
**CAPE TOWN**  
8000  
By facsimile: (021) 483 4174; or  
By hand: Attention: Mr Marius Venter (Tel.: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority at the address listed above and/or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel.: (021) 483 3721, E-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL: <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions, as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

**Zaahir Toefy** Digitally signed by Zaahir Toefy  
Date: 2025.05.06 12:05:25  
+02'00'

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 06 MAY 2025**

Copied to:

- (1) Mr. B. de Witt (EnviroAfrica cc)  
(2) Mr. C. Geyser (EnviroAfrica cc)  
(3) Mr. A. Zaayman (Swartland Local Municipality)

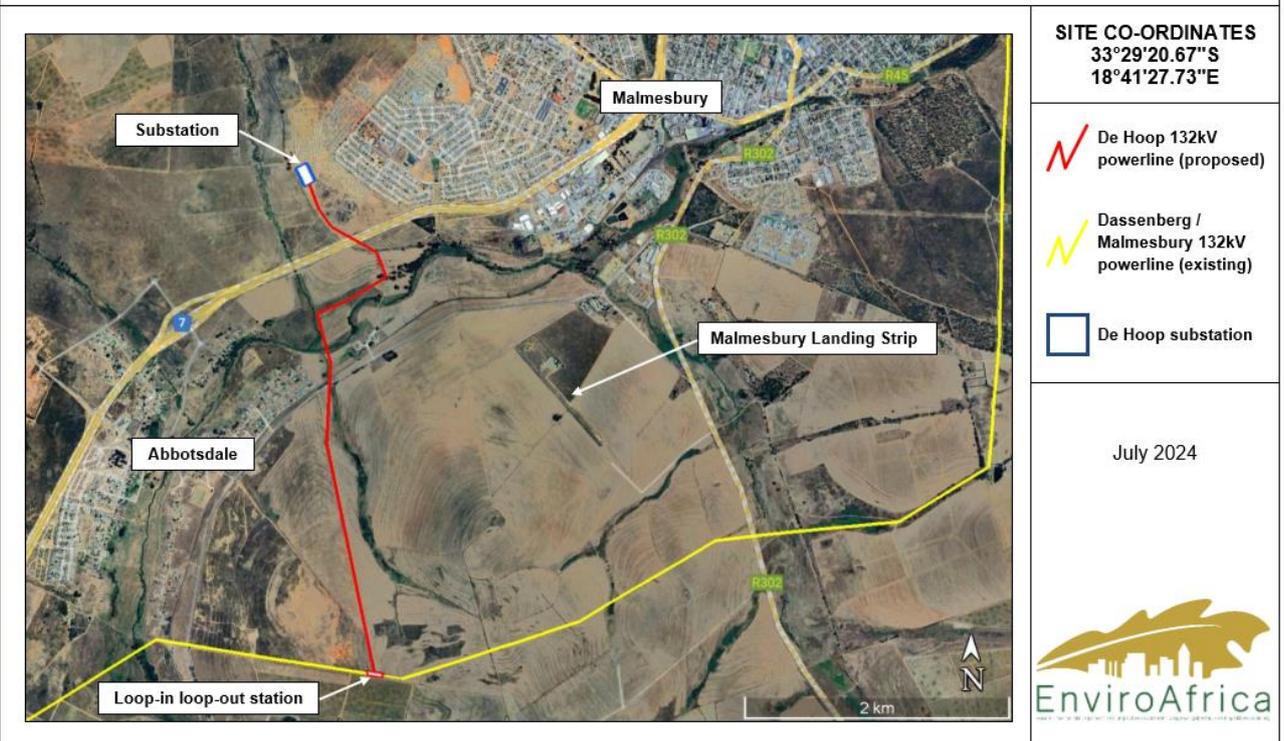
E-mail: [bernard@enviroafrica.co.za](mailto:bernard@enviroafrica.co.za)  
E-mail: [clinton@enviroafrica.co.za](mailto:clinton@enviroafrica.co.za)  
E-mail: [zaaymana@swartland.org.za](mailto:zaaymana@swartland.org.za)

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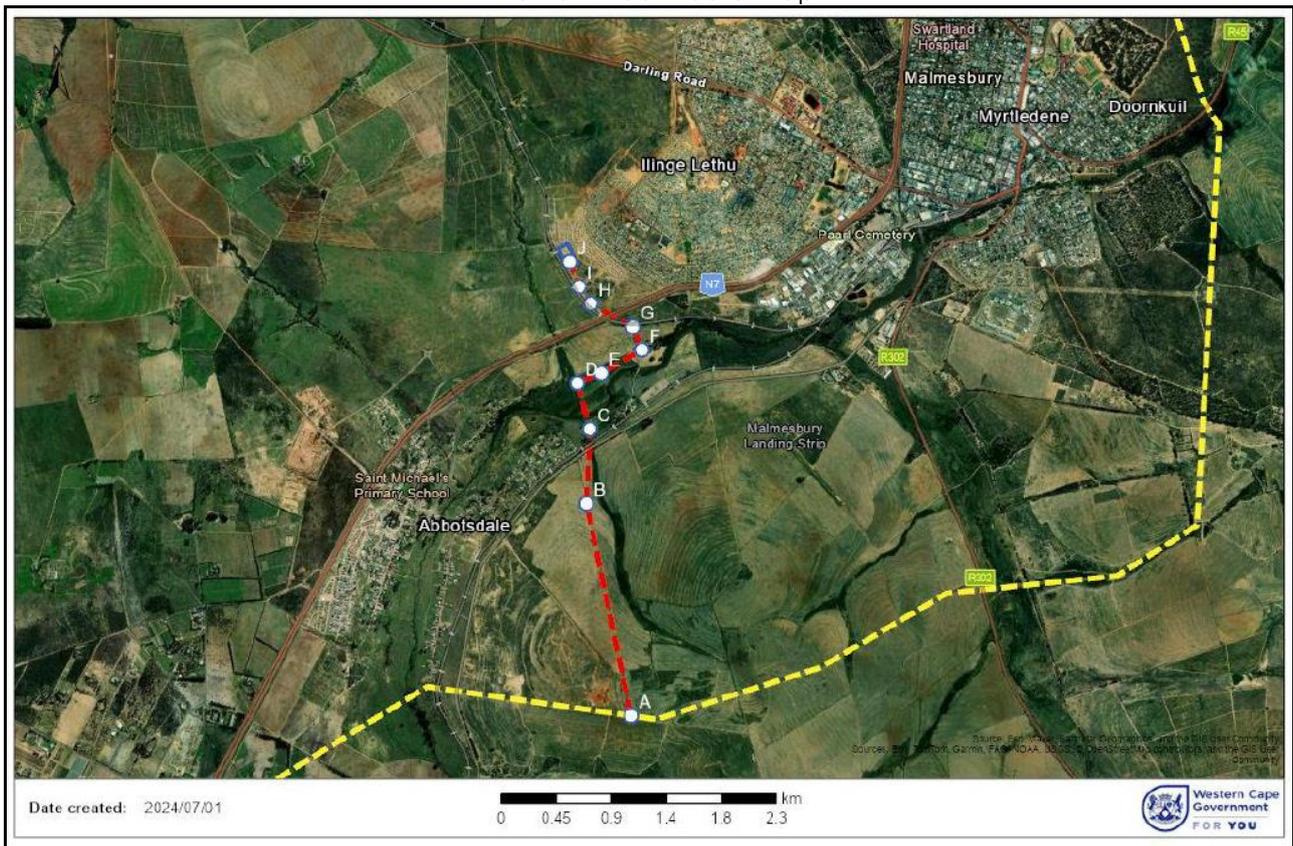
**ANNEXURE 1: LOCALITY MAP ILLUSTRATING THE ROUTE OF THE OVERHEAD POWERLINE**

**THE PROPOSED ESTABLISHMENT OF A 132KV POWERLINE FROM THE ESKOM NATIONAL ELECTRICITY GRID TO THE DE HOOP HOUSING DEVELOPMENT SUBSTATION, ACROSS FARMS RE/1113, 18/766, 11/766, 13/766, RE/8/766, 9/766, 22/766, RE/15/766, AND ERF 12496, NEAR MALMESBURY, SWARTLAND MUNICIPALITY, WESTERN CAPE**



## ANNEXURE 2: THE ROUTE MAPS

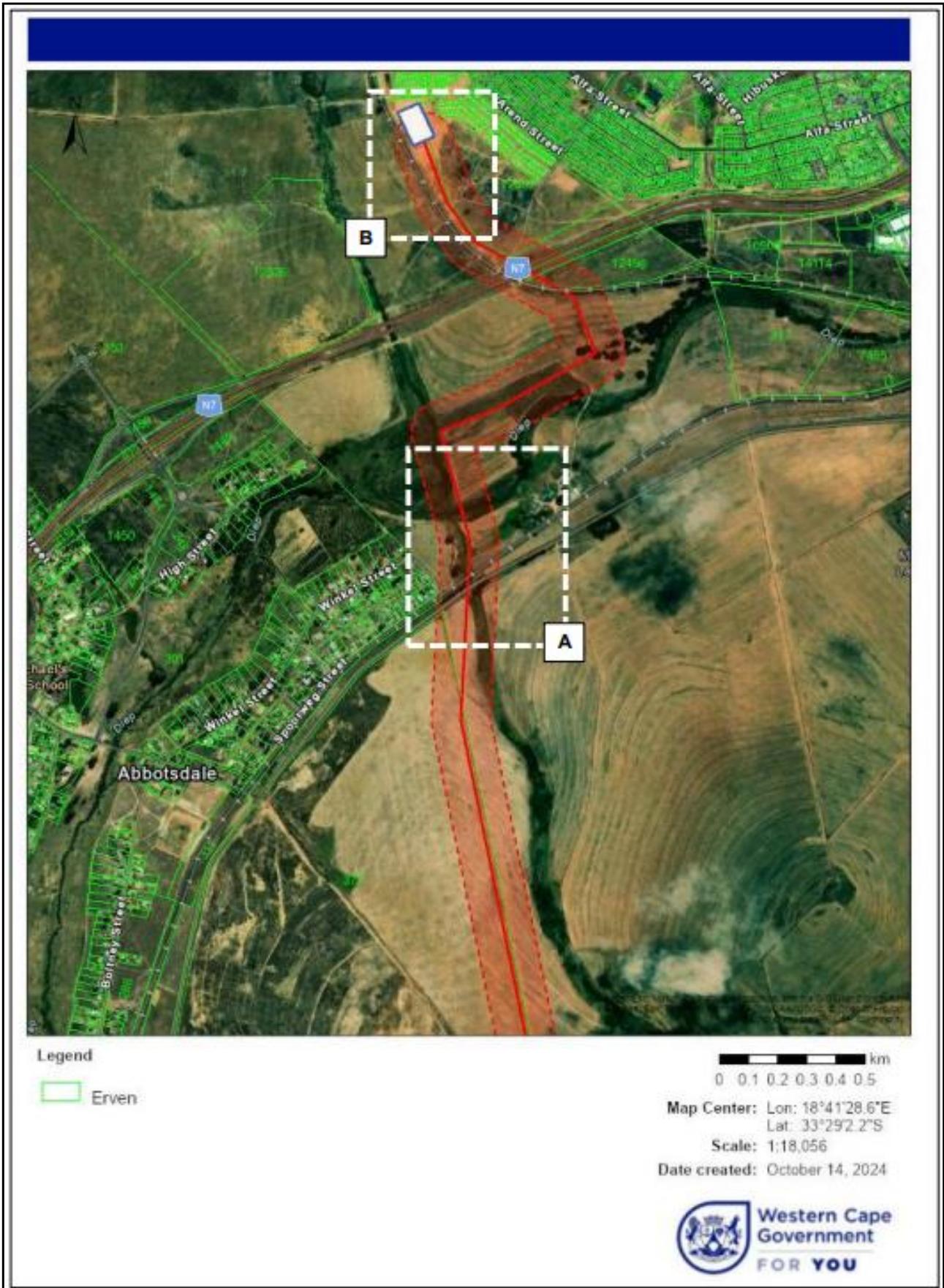
### Interval Linear Route Map



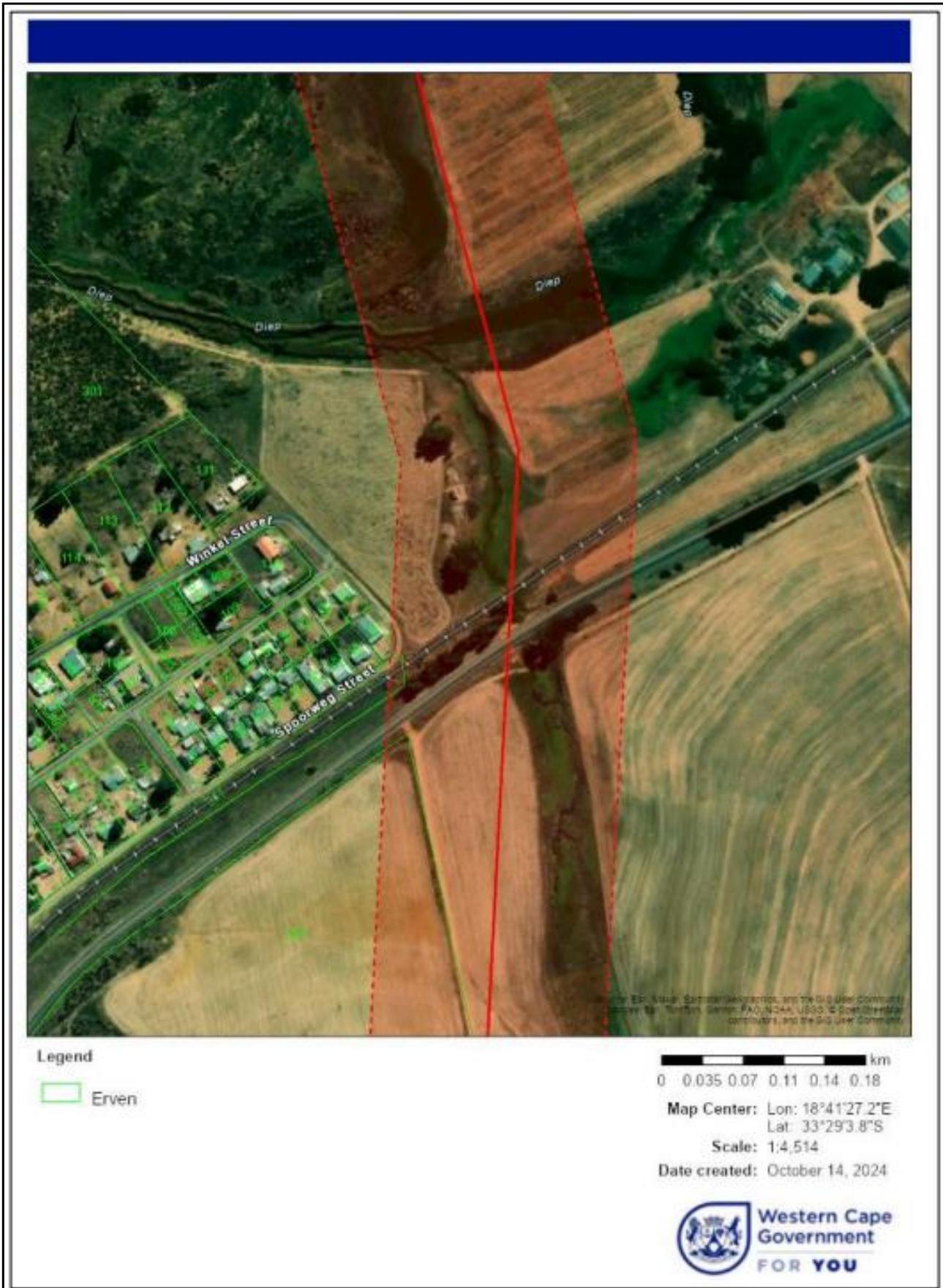
# Route Map



# 100m Buffer from Residential Area



Area A:



Area B



## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form (dated 22 August 2024), the final BAR (dated 14 January 2025), the final EMPr (dated November 2024), and the electronic mail correspondence of 7 April 2025;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the final BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) A site visit was not conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision, is set out below.

### 1. Public Participation

The Public Participation Process ("PPP") included *inter alia*:

- Written notices were sent to all I&APs and relevant stakeholders on 10 November 2022 and 19 October 2023, respectively;
- Letters were delivered to all I&APs and relevant stakeholders on 8 November 2022 and 19 October 2023, respectively;
- Notices placed on site on 13 October 2023 and 3 September 2024, respectively;
- Advertisements were published in the 'Swarthland Gazette' Newspaper on 15 November 2022 and 17 October 2023, respectively;
- The draft BAR was made available for a thirty (30) day commenting period, from 4 September 2024 to 8 October 2024; and
- The revised draft BAR was made available for a thirty (30) day commenting period, from 1 November 2024 to 2 December 2024.

During the PPP, comments as well as objections and concerns were received. An objection was received from the 'Westelike Provinsie Oestbespuiting Maatskappy (Pty) Ltd.' ("WPO") who based their objections and concerns on factors such as health and safety of aircraft pilots and other personnel at their aerodrome and the WPO's ability to adhere to the Civil Aviation Regulations, 2011. According to the information provided together with the final BAR, the WPO subsequently withdrew these objections and confirmed that the overhead powerline does not pose a new risk to their operations and is within the parameters, as set out in the legislative restrictions and limitations in terms of the Civil Aviation Regulations, 2011.

This Directorate is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the comments and responses report.

Specific management and mitigation measures have been considered in this Environmental Authorisation and the EMPr to adequately address any significant concerns raised.

### 2. Alternatives

Preferred Property, Layout and Site Alternative: (Herewith Authorised)

The Preferred Property, Layout and Site Alternative entails the proposed overhead powerline route traversing the Remainder of the Farm No. 1113, Portion 18 of the Farm No. 766, Portion 13 of the Farm No. 766, Remainder of Portion 8 of the Farm No. 766, Portion 22 of the Farm No. 766, Portion 24 of the Farm No. 766, Remainder of Portion 15 of the Farm No. 766, Erf 373, Erf 12081 and Erf 12496, Malmesbury.

The 132kV overhead powerline, which will span a distance of approximately 4500m from the Eskom National Electricity Grid to the existing De Hoop housing development substation located on the Remainder of Portion 15 of the Farm No. 766, Malmesbury.

The linear footprint of the overhead powerline will include a working area of approximately 100m to allow for a final adjustment of where the powerline and associated structures are to be placed, before the required final 31m servitude required by Eskom.

The connection to the 132kV overhead powerline will be facilitated by a loop-in loop-out configuration structure, and includes the following associated infrastructure:

- Supporting towers/pylons (monopole-type at a height of approximately 20m at regular intervals of approximately 100m – 200m);
- Conductors; and
- Insulators.

The total development footprint will amount to approximately 140 000m<sup>2</sup>.

This is the only Preferred Property, Layout and Site Alternative considered, due to favourable factors such as accommodative zonings, avoiding built-up residential areas, properties already owned by the Municipality and securing arrangements with landowners to ultimately construct the powerline to enable electricity supply for the De Hoop housing development in Malmesbury.

Additionally, the preferred route was changed following stakeholder engagements as well as further consideration given to the Malmesbury/Rozenberg Aerodrome (civil aviation aerodrome) after it was deemed necessary to move the overhead powerline further away from the airfield on account of aviation safety reasons. The overhead powerline will therefore not interfere with aircraft instrumentation, radio communication or the operational efficiency of the WPO.

#### 'No-go' Alternative (Rejected)

The 'No-Go' Alternative entails maintaining the *status quo*, i.e., no development of the overhead powerline and associated infrastructure. The 'No-Go' Alternative was rejected based on the following reasons:

- Without the 132kV overhead powerline, the De Hoop substation cannot connect to the Eskom National Electricity Grid, nor will the Municipality be able to supply electricity to the De Hoop housing development;
- A lack of electricity will negatively impact both residential and commercial aspects of the De Hoop housing development by affecting property values, business operations, development costs and economic growth for the town of Malmesbury; and
- Delaying or stopping the construction of the 132kV overhead powerline might require additional planning, which could possibly result in emergency measures being implemented to address the lack of adequate electricity supply.

### **3. Impact Assessment and Mitigation Measures**

#### 3.1 Need and Desirability

The proposed overhead powerline and associated infrastructure is required to provide electricity to the De Hoop housing development that was previously approved by this Directorate in the Environmental Authorisation issued on 21 February 2022 (Referenced: 16/3/3/2/F5/16/2017/21). Additionally, the proposed overhead powerline and associated infrastructure is required due to the said authorised De Hoop Housing Development having commenced with construction activities.

### 3.2 Regional and Local Planning

The proposed overhead powerline alignment will run through land zoned Agriculture. All necessary planning and related approvals must be obtained in order to permit the proposed development.

Given the nature of the proposed development (largely comprising linear components), it is not expected to be in conflict with the relevant forward planning policies and other related frameworks.

### 3.3 Biophysical Impacts: Terrestrial Biodiversity

Although proposed development will take place on brownfield sites used for agricultural purposes (cultivated land and livestock grazing) remnants of Endangered and Critically Endangered vegetation will be cleared.

The route of the overhead powerline will traverse demarcated Critical Biodiversity Areas ("CBA") (CBA1: Aquatic, CBA1: Terrestrial, CBA2: Terrestrial) and Ecological Support Areas (ESA1: Aquatic, ESA2: Watercourse). Every effort will be made to avoid directly impacting these areas. This requirement forms part of the provisions of the EMPr approved as part of the conditions of this Environmental Authorisation.

The impact significance for the proposed development, leading to terrestrial habitat loss, is deemed to be Low negative. Furthermore, additional mitigation measures are proposed to address potential secondary impacts and minimise the overall ecological disturbance. As per the approved EMPr, these include the need to only clear vegetation within the proposed development footprint and the implementation of site rehabilitation and restoration once construction activities have been completed.

### 3.4 Aquatic Impacts

An aquifer, classified as minor, intergranular and fractured with a moderate vulnerability underlies the site. However, given the nature of the proposed development, no negative impacts are expected in this regard.

According to the Freshwater Report (dated October 2023 and compiled WATSAN Africa), the Diep River and its drainage lines to be affected by the proposed development are already impacted by existing agriculture, urban and industrial development and roads, bridges and railway lines. This resulted in these elements losing much of their ecological functioning. In this regard, the overhead power line and associated components are low-impact activities that are not expected to measurably add to the already existing impacts.

Similarly to the above, every effort will be made to avoid directly impacting the aquatic elements mentioned, as far as possible. This requirement, including various best practices measures to maintain the integrity of the Diep River aquatic system, as per the provisions of the approved EMPr.

According to the information submitted together with the final BAR, the application for a General Authorisation (WU34816) in terms of the National Water Act, 1998 ("NWA") (Act No. 36 of 1998) has been lodged with the National Department of Water and Sanitation.

### 3.5 Agriculture Aspects

The overhead powerline will run through certain properties used for agricultural purposes. However, the land beneath the overhead lines can still be utilised by the landowners for, *inter alia*, livestock grazing, crop cultivation. According to the Agriculture Compliance Statement (dated October 2024 and compiled by Digital Soil Africa), the development will not have a significant impact on agricultural activities in the area and poses no threat to food security. The measures required to be implemented, as detailed in the Agriculture Compliance Statement, forms part of the provisions of the approved EMPr

and includes the need to use fencing during the construction period to ensure footprints inside agricultural land are kept to a minimum.

The Western Cape: Agriculture indicated in the correspondence (dated 29 October 2024) that there is no objection against the proposed development.

### 3.6 Heritage Impacts

No direct impacts on any heritage resources are expected. Heritage Western Cape indicated in the correspondence (dated 3 May 2024) that there is no reason to believe that the proposed development will impact heritage resources. As per the electronic mail correspondence (dated 3 December 2024) from Heritage Western Cape, their abovementioned comments still stand.

Conditions 18 and 19 of this Environmental Authorisation will help to ensure the protection of any heritage resources that may be encountered on the site.

### 3.7 Visual Aspects

The landscape comprises rural and urban elements. The topography is of an undulating nature, but no strong and unique scenic characteristics or prominent elements exist in the landscape. Although the overhead powerline will be visible from certain positions (including residents of Westbank, travelers along the N7 National Road (both directions), residents on the eastern boundary of Abbotsdale and a homestead next to the old Malmesbury Road, the overhead powerline will not be intrusive. The visual impacts of the overhead powerline on these receptors will range from Medium to Low negative significance.

According to the Visual Assessment Report (dated July 2024, and compiled by S.C. Lategan), the proposed development will further have little cumulative visual impact, as it is of a smaller scale when compared with the high voltage lines that already exist in the local area. The visual specialist professional further stated that space crowding is low and within acceptable limits of change. No mitigation measures were deemed necessary.

### 3.8 Civil Aviation Aspects

Risks such as potential aircraft collisions, particularly under low visibility conditions or for low-flying aircraft involved in activities like crop spraying, exist with developing an overhead powerline near an airstrip, *i.e.*, the Malmesbury/Rozenburg landing strip. It is therefore required that measures to minimise risks be implemented. These measures, as included in the approved EMPr, include the implementation of markings and safety measures to ensure that the powerline is clearly marked in accordance with the applicable specifications, installing appropriate lighting on all objects and structures within the specified radius to ensure visibility and appropriately coordinating with the relevant aviation authorities.

On 29 October 2024, the South African Civil Aviation Authority provided an obstacle approval letter with binding conditions. The said approval further confirmed that the proposed development will not have a negative impact on aviation safety, as it falls within the parameters, as outlined in the Civil Aviation Regulations, 2011.

### 3.9 Socio-economic Aspects

According to the Socio- Economic Impact Assessment Report (dated May 2024 and updated October 2024 and compiled by Leap Sustainable Development), states that the main losses of the proposed development such as the changed 'Sense of Place', disruption of traffic and increased dust and noise levels can be adequately mitigated whilst the gains such as employment opportunities (during the construction period) and the supply of electricity to the De Hoop residential area can be achieved. The approved EMPr therefore contains all required measures to adequately mitigate the identified socio-economic impacts in this regard.

The proposed development will result in both negative and positive impacts.

Negative Impacts include:

- The potential loss of highly degraded and transformed terrestrial habitats.
- Potential construction activity directly impacting on degraded aquatic elements.
- Some alteration of the visual and aesthetic qualities of the landscape.
- Loss of agricultural land due to the construction taking place in and around areas where agricultural activities are taking place.
- Some dust and noise impacts along the route, especially during the construction phase.

Positive Impacts include:

- Supply of electricity to the De Hoop Housing Development.
- Provision of temporary employment opportunities during the construction phase.

#### **4. National Environmental Management Act, 1998 (Act No. 107 of 1998) Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

#### **5. Conclusion**

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPs, the Competent Authority is satisfied that the authorised Listed Activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the Listed Activities can be mitigated to acceptable levels.

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