

# Notification of Application for Environmental Authorisation, Basic Assessment, and Water Use Licence for the proposed construction of the MV Line in Harrismith 42nd Hill, Free State Province.

## BACKGROUND INFORMATION DOCUMENT

28 February

### PURPOSE OF THIS DOCUMENT

This Background Information Document (BID) has been structured to provide all potential Interested and Affected Parties (I&APs) with a concise overview of the proposed project activities as well as the associated Environmental Authorisation, Basic Assessment (BA) and Water Use License Application (WULA) Processes. Furthermore, this BID also intended to provide I&APs with information relating to the manner in which I&APs can voice any issues concerning the proposed project. The compilation and distribution of this BID, forms part of the Public Participation Process for the project.

The BID provides notification of the availability of the Draft Basic Assessment Report (BAR) for public review and comment from 28 February 2024 to 29 March 2024.

The report is available at the Harrismith Public Library (62 Warden Street, Harrismith, 9880) and on the Zitholele Consulting's website: [www.zitholele.co.za/environmental/under the heading "Harrismith BAR"](http://www.zitholele.co.za/environmental/under%20the%20heading%20Harrismith%20BAR). Please submit your comments on the BAR by no later than 29 March 2024 to the contact persons/details as listed below. Information regarding the above processes can also be requested from the Public Participation Office at the contact details provided herein.

Zitholele Consulting (Pty) Ltd  
PO Box 6002, Halfway House, 1685  
Tel: 011 207 2060  
Fax: 086 674 6121  
E-mail:  
[Harrismith@zitholele.co.za](mailto:Harrismith@zitholele.co.za)

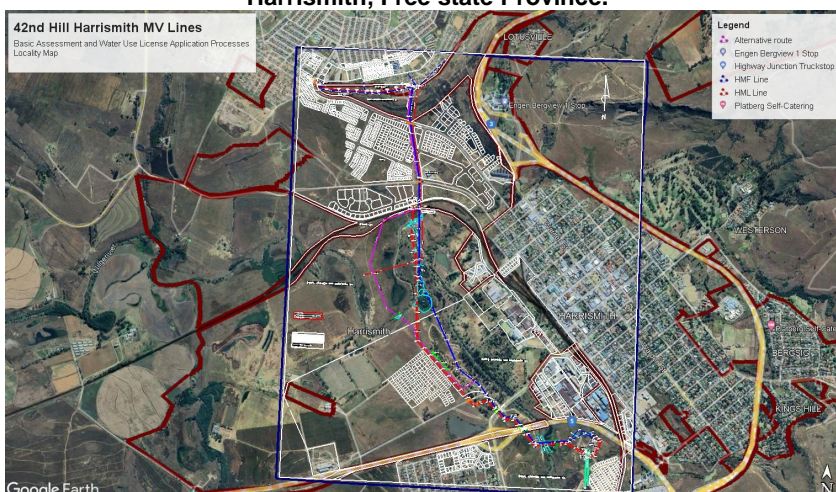
## 1. BACKGROUND AND DESCRIPTION OF THE PROJECT

Notice is hereby given that Eskom Holdings Limited SOC is proposing the construction of MV powerlines at 42nd Hill Harrismith, Free State Province, to meet increasing demand for electrification in the Intabazwe area. The project involves the upgrade of existing municipal medium voltage (132/11kV) powerlines that run between Harrismith Municipal Substation and the 42nd Hill residential area (the 1HMF and 2HMF circuits) in order to increase their supply capacity. The existing line will be restreamed and poles added, with parts extended to the Intabazwe development area.

According to Sections 21(c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998) (NWA), a Water Use License (WUL) application will be required because the proposed project operations would take place near or within a watercourse. Additionally, the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) mandates that an application for an Environmental Authorization (EA) be made for the planned electrification.

Zitholele Consulting has been appointed as the Environmental Assessment Practitioner (EAP) to conduct a Basic Assessment (BA) and Water Use License Application (WULA) process for the proposed construction. The project will adhere to guidelines from Chapter 6 of the 2014 EIA Regulations (GNR. 982) and involve a Public Participation Process (PPP) in the EA process.

**Figure 1: Location of the proposed Construction of the MV line in 42<sup>nd</sup> Hill Harrismith, Free state Province.**



## 2. DESCRIPTION OF THE STUDY AREA

The proposed construction will take place in the Intabazwe area in Harrismith within Maluti A Phofung Local Municipality, west of Harrismith with access through Cloete St. The Harrismith substation, with a 60MVA capacity, supplies the area through two metering panels and two Letsatsi lines. A 7.4MVA load is supplied to 42nd Hill by the current network. The dual circuit and single circuit (1HMF and 2HMF) that go from the Harrismith substation to the Intabazwe development area would be upgraded as part of the proposed construction. Much of this work would go through wetlands.

The current line will be restreamed, new poles installed, and a portion of it extended to the Intabazwe development area from where it ends immediately after the Wilge River and the wetlands.

### 3. NEED AND DESIRABILITY

The applicant intends to upgrade their existing municipal medium voltage (132/11kV) powerlines and restream the lines to address the increase in demand for electricity in the municipality.

### 4. LEGAL REQUIREMENTS

The proposed activity is underpinned by the legal provisions of the National Environmental Management Act, No. 107 of 1998 (NEMA), as amended, and the National Water Act, No. 36 of 1998. These Acts have specific regulations governing potential impacts on the receiving environment and includes the following Regulations:

- Environmental Impact Assessment (EIA) Regulations of 2014 (GN R982), as amended;
- Water Use Licence Application and Appeals Regulations of 2017 (GN R267)

The listed activities that may be applicable to the project are indicated in the table below:

Listed Activities	Applicability to proposed project
<p><b>EIA Regulations of 2014 (as amended) of NEMA, 1998 (Act No. 107 of 1998)</b>  <b>GNR. 983: Listing Notice 1 (GN R.983), Activity 12:</b>                      The development of:</p> <p>(xii) Infrastructure or structures with a physical footprint of 100 square meters or more;</p> <p>Where such development occurs — Within a watercourse;</p> <p>In front of a development setback; or</p> <p>If no development setback has been adopted, within 32 meters of a watercourse, measured from the edge of a watercourse.</p>	<p>The physical footprint of the proposed project is approximately 153 square metres within a watercourse.</p>
<p><b>EIA Regulations of 2014 (as amended) of NEMA, 1998 (Act No. 107 of 1998)</b>  <b>GNR. 983: Listing Notice 1 (GN R.983), Activity 19:</b>                      The infilling or depositing of any material of more than 10 cubic meters into, or the dredging, excavating, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 10 cubic meters from a watercourse.</p>	<p>The proposed construction is within a watercourse, and therefore, would require more than 10 cubic metres of soil material that would be excavated on the wetland for the placing of the intended infrastructure.</p>
<p><b>EIA Regulations of 2014 (as amended) of NEMA, 1998 (Act No. 107 of 1998)</b>  <b>Listing Notice 3 (GN 985), Activity 14:</b>                      The development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more, where such development occurs—</p> <p>(a) within a watercourse.</p> <p>b. Free State</p> <p>(ff) Critical biodiversity areas (CBA) or ecosystem service areas (ESA) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>The intended infrastructure to be constructed has a physical footprint of more than 10 square meters and will be undertaken within a watercourse, and within a CBA/ESA of the Free State Conservation Plan.</p>

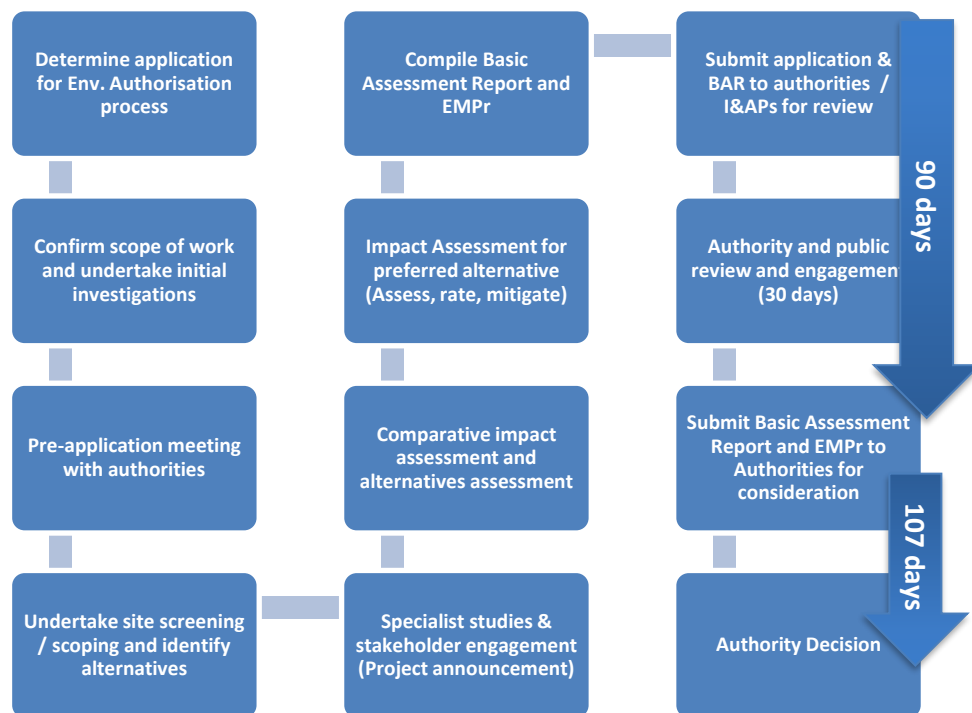
The following processes must therefore be undertaken:

1. Basic Assessment process towards issuance of an Environmental Authorisation (EA);
2. A Water Use Authorisation process towards issuance of a General Authorisation (GA).

## 5. BASIC ASSESSMENT PROCESS

A Basic Assessment (BA) aims to provide an objective view of the potential environmental and social impacts that could arise during the planning, construction, operation, and decommissioning phase of a proposed project. A critical element of the BA Process is the Public Participation Process that gives Interested and Affected Parties (I&APs) an opportunity to provide comments on a proposed development. The outcome of the BA Process is concisely presented and documented in the Basic Assessment Report (BAR) in order to provide the Competent Authority with all the information in order to make an informed decision.

The BAR content aligns with the requirements of Appendix 1 of the EIA regulations, 2014 (as amended) (GN R.326) and timeframes are strictly adhered to through careful management of process. **Figure 2** provides a process flow diagram indicating the key tasks to be carried out for the BA Process.



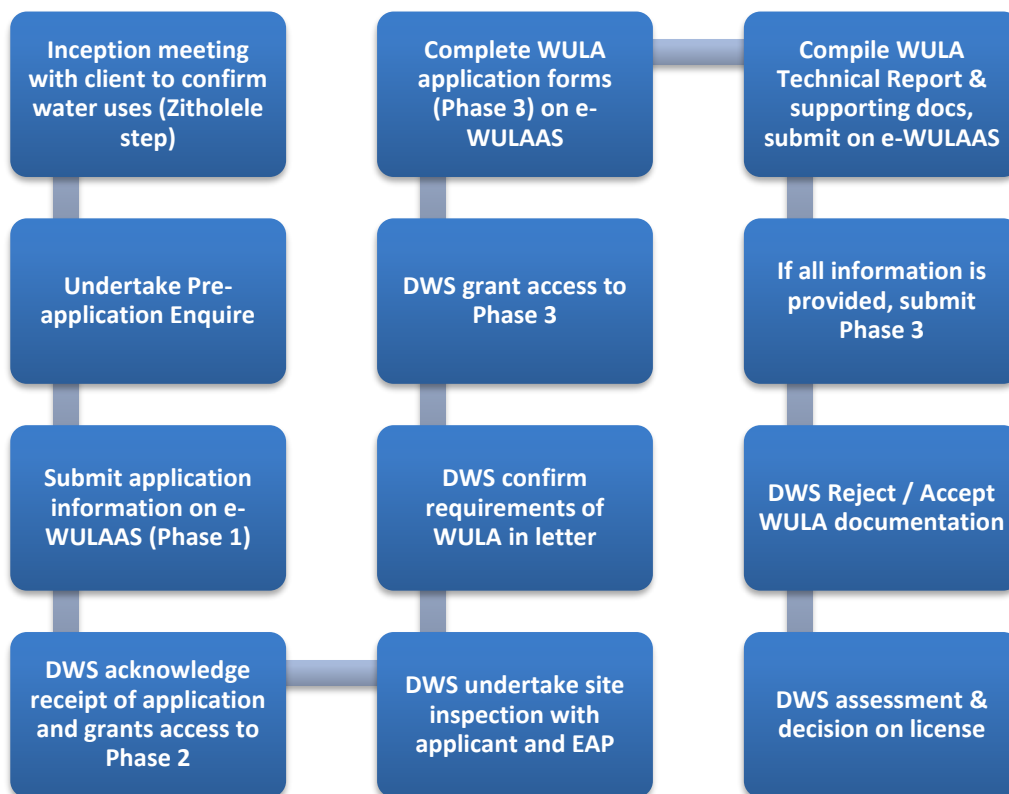
**Figure 2: Process Flow Diagram for the steps required in a Basic Assessment Process**

A decision on the application for environmental authorisation through a BA process is usually reached within 107 days of receipt of the BAR by the Competent Authority.

## 8. WATER USE LICENCE APPLICATION

The Water Use Authorisation process will be undertaken in terms of the Regulations regarding the Procedural Requirements for Water Use Licence Applications and Appeals (GN R. 267 of 24 March 2017) promulgated in terms of the NWA. In terms of these Regulations, the Water Use Authorisation must be undertaken and submitted through the Department of Water and Sanitation (DWS)'s online submission portal called Electronic Water Use Licence Application and Authorisation System (e-WULAAS). In terms of this online submission system, a Water Use License Application (WULA) is submitted online in three distinct phases (Refer to Figure 3).

The Water Use Licence or General Authorisation process can occur simultaneously and in conjunction with a Basic Assessment Process therefore Zitholele ensures that the WUL Application Forms, Technical Report (if required) and supporting documents are completed at the same time as the BAR. This streamlines the public review process per project.



**Figure 3: Process Flow Diagram for the steps required in a Water Use License Application**

## 9. PUBLIC PARTICIPATION PROCESS

As an important element in undertaking the BA for the proposed project, Zitholele Consulting will conduct the public participation process as set out in the NEMA EIA regulations, 2014 (as amended). Applicable guidelines and best practice procedures will furthermore be taken into consideration. The public participation process will enable stakeholders to contribute to the process through information sharing and to review the findings of the independent studies that are to be undertaken. The steps of the public participation component are outlined below.

The Public Participation Process, as prescribed in the EIA Regulations, 2014, as amended, are described below in Figure 4:



Figure 4: Process Flow of the Public Participation Process

## 10. AVAILABILITY OF APPLICATION DOCUMENTATION

The Basic Assessment Report for public review and comment is available from 28 February 2024 to 29 March 2024 as follows:

- Hard copy at Harrismith Public Library, 62 Warden Street, Harrismith, 9880153
- Electronic copy is available at the Zitholele Consulting's website ([www.zitholele.co.za/environmental/](http://www.zitholele.co.za/environmental/) under the heading "Harrismith BAR").

Please submit your comments on the BAR by no later than 29 March 2024 to the contact persons/details as listed below. Information regarding the above processes can also be requested from the Public Participation Office at the contact details provided herein.

All stakeholders that wish to provide comments on the BAR and AEL and WULA processes and stay informed throughout the process are urged to register as an Interested and Affected Party (I&AP) by submitting your contact details and interest on the project to the Public Participation Process (PPP) desk at the contact details provided. Alternatively, SMS the word "Harrismith" to 45776.

Further communication relating to the project will only be undertaken with registered I&APs. The PPP desk can be contacted as follows:

Zitholele Consulting (Pty) Ltd  
 Ms Londolani Sitsula  
 P O Box 6002, Halfway House, 1685  
 Tel: (011) 207 2060  
 Fax: 086 674 6121  
 Email: [Harrismith@zitholele.co.za](mailto:Harrismith@zitholele.co.za)

## 11. DECISION-MAKING (ENVIRONMENTAL AUTHORISATION)

Based on the information provided in the final BAR, the Competent Authority will make a decision to grant or refuse Environmental Authorisation. The granting of Environmental Authorisation will allow the Applicant to proceed with implementing the proposed project activities. Once the Competent Authority has reached a decision, with regards to granting the Environmental Authorisation, all registered I&APs will be notified thereof within 14 days of the date of the decision. An appeal may be lodged against the decision made in terms of the National Environmental Management Act (107 of 1998) and National Appeal Regulations, 2014. I&APs will be notified of the decision made by the Competent Authority by means of the following:

- Via electronic mail;
- Facsimile (to I&APs who do not have access to electronic mail); and
- Registered mail (to those I&APs who do not have access to electronic mail nor facsimile facilities).

The Basic Assessment Process will be concluded by the notification of I&APs of the decision made by the Competent Authority.

## **12. MAP OF PROJECT LOCATION**

A locality Map of the proposed project can be found in Figure 5 below.

## **13. BID COMMENT SHEET**

A comment sheet associated with this project and Basic Assessment, and Water Use Authorisation process is included at the end of this BID. Please complete and return to the PPP desk by hand delivery to the offices of Zitholele Consulting, scan and email to the email address provided, fax to fax number provided or by submitting your comments telephonically to the PPP desk via the landline number specified in the left column on page 1 of this BID.

Figure 5: Locality Map of the Proposed Project

