



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 685

27

July
Julie

2022

No. 47095



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ISSN 1682-5845



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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2313

27 July 2022

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****ADOPTION OF THE STANDARD FOR THE DEVELOPMENT AND EXPANSION OF POWER LINES AND SUBSTATIONS WITHIN IDENTIFIED GEOGRAPHICAL AREAS AND THE EXCLUSION OF THIS INFRASTRUCTURE FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby adopt, in terms of section 24(10)(a) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), the *Standard for the Development and Expansion of Power Lines and Substations within Identified Geographical Areas Revision 2 June 2022*, and based on compliance with this Standard, exclude, in terms of section 24(2)(d) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) the activities, as set out in the Schedule, including listed or specified activities necessary for the realisation of the development or expansion of power line and substation infrastructure, from the requirement to obtain environmental authorisation.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

1. Definitions

In this Schedule, unless the context indicates otherwise, a word defined in the National Environmental Management Act, 1998 (Act No. 107 of 1998) or the Environmental Impact Assessment Regulations, 2014, as amended has the same meaning, and—

“EIA Regulations” means the Environmental Impact Assessment Regulations, 2014, published under Government Notice No. R. 982 in Government Gazette No. 38282 of 4 December 2014, as amended by Government Notice No. 326 in Government Gazette No. 40772 of 7 April 2017, Government Notice No. 706 in Government Gazette No. 41766 of 13 July 2018, Government Notice No. 599 in Government Gazette No. 43358 of 29 May 2020 and Government Notice No. 517 in Government Gazette No. 44701 of 11 June 2021;

“Government Notice No. 113” means Government Notice No. 113 published in Government Gazette No. 41445 of 16 February 2018;

“Listing Notice 1” means Environmental Impact Assessment Regulations Listing Notice 1 of 2014, published under Government Notice No. R. 983 in Government Gazette No. 38282 of 4 December 2014, as amended by Government Notice No. 327 in Government Gazette No. 40772 of 7 April 2017, Government Notice No. 706 in Government Gazette No. 41766 of 13 July 2018 and Government Notice No. 517 in Government Gazette No. 44701 of 11 June 2021;

“Listing Notice 2” means Environmental Impact Assessment Regulations Listing Notice 2 of 2014 published under Government Notice No. R. 984 in Government Gazette No. 38282 of 4 December 2014 as amended by Government Notice No. 325 in Government Gazette No. 40772 of 7 April 2017 and Government Notice No. 517 in Government Gazette No. 44701 of 11 June 2021;

“Listing Notice 3” means Environmental Impact Assessment Regulations Listing Notice 3 of 2014 published under Government Notice No. R. 985 in Government Gazette No. 38282 of 4 December 2014 as amended by Government Notice No. 324 in Government Gazette No. 40772 of 7 April 2017, Government Notice No. 706 in Government Gazette No. 41766 of 13 July 2018 and Government Notice No. 517 in Government Gazette No. 44701 of 11 June 2021;

“strategic transmission corridors” means the strategic transmission corridors identified in Government Notice No. 113 published under Government Gazette No. 41445 of 16 February 2018 and Government Notice No. 1637 published under Government Gazette No. 45690 on 24 December 2021; and

“the Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

2. The Department of Forestry, Fisheries and the Environment has developed the *Standard for the Development and Expansion of Power Lines and Substations within Identified Geographical Areas Revision 2 June 2022* based on two Strategic Environmental Assessment processes undertaken for the development of Electricity Grid Infrastructure in South Africa.

3. The Standard is adopted in terms of section 24(10)(a) of the Act for the purpose of excluding the activities contemplated in paragraph 5.1 and 5.2 of this Schedule from the requirement to obtain environmental authorisation prior to commencement.
4. Based on compliance with the provisions of the Standard, and the registration requirements contained in Chapter 1 and 2 of the Standard, the activities as described in paragraphs 5.1 and 5.2 of the Schedule are hereby excluded from the requirement to obtain environmental authorisation in terms of section 24(2)(d) of the Act.
5. This exclusion from the requirement to obtain environmental authorisation applies in areas identified by the national web based environmental screening tool as being of medium or low environmental sensitivity and confirmed to be such for identified environmental themes, within the strategic transmission corridors, for the development or expansion of electricity transmission and distribution power line infrastructure and substations, where the development or expansion of such infrastructure triggers—
 - 5.1 Listing Notice 1:
 - 5.1.1. Activity 11;
 - 5.1.2. Activity 47; or
 - 5.2 Listing Notice 2:
 - 5.2.1. Activity 9;

and any listed or specified activity in Listing Notice 1, 2 or 3 necessary for the realisation of such infrastructure.

6. The Standard and the exclusions do not apply in the following instances:
 - 6.1 Where any part of the infrastructure occurs on an area for which the environmental sensitivity for any environmental theme is identified as being very high or high by the national web based environmental screening tool and confirmed to be such through the application of the procedures set out in the Standard; or
 - 6.2 where the site sensitivity verification for a specific theme identifies that the low or medium sensitivity rating of the national web based environmental screening tool is in fact high or very high; or
 - 6.3 where the greater part of the proposed infrastructure falls outside any strategic transmission corridor.
7. Where this Standard does not apply, either the requirements of the EIA Regulations or Government Notice No. 113, read with the EIA Regulations, where relevant, apply to the relevant theme for which the very high or high sensitivity has been identified in respect of the portion of the development or expansion which occurs on the area where the environmental sensitivity is confirmed to be very high or high, or to the entire development or expansion where the greater part of the infrastructure falls outside of the strategic transmission corridor.
8. Failure to comply with the requirements of the Standard constitutes an offence in terms of section 49A of the Act.
9. The provisions of the National Appeal Regulations, 2014, as amended, are applicable to an appeal against any decision taken in terms of this Notice or the Standard.

10. An application for environmental authorisation for the activities contained in paragraph 5 of this Government Notice, submitted in terms of the EIA Regulations or Government Notice No. 113, which is pending on the date of coming into effect of the Standard and exclusion contemplated in this Notice, must be finalised in accordance with the procedures of the EIA Regulations or Government Notice No. 113, read with the EIA Regulations, or may be withdrawn.
11. An environmental authorisation issued prior to the coming into effect of the Standard and this Notice or as a result of a pending application contemplated in paragraph 9 being finalised, remains valid as if the Standard and exclusion are not in effect.
12. The *Standard for the Development and Expansion of Power Lines and Substations within Identified Geographical Areas Revision 2 June 2022*, can be accessed at <https://egis.environment.gov.za/egi> or <https://gasnetwork.csir.co.za/> or <https://www.dffe.gov.za/legislation/guidelines>
13. The *Strategic Environmental Assessment for Electricity Grid Infrastructure in South Africa (2016)* and the *Strategic Environmental Assessment for the Expansion of Electricity Grid Infrastructure Corridors in South Africa (2019)* can be accessed at <https://egi.csir.co.za/> or <https://egis.environment.gov.za/egi> or <https://gasnetwork.csir.co.za/>.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065