

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 4732

19 April 2024

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)

CONSULTATION ON THE INTENTION TO ADOPT A SUBSTATION EXCLUSION NORM AND TO EXCLUDE THE DEVELOPMENT AND EXPANSION OF TRANSMISSION AND DISTRIBUTION SUBSTATIONS FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby consult on my intention to adopt the Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity, in terms of section 24(10) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and to exclude, in terms of section 24(2)(d) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) activities identified in terms section 24(2)(a) and (b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), associated with the development and expansion of transmission and distribution substations, from the requirement to obtain environmental authorisation, based on compliance with the Norm. The requirements of any other relevant legislation remain applicable.

Section 24(2)(c),(d) and (e) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) provides for the Minister, or MEC in concurrence with the Minister, to identify activities and geographical areas within which identified activities may be excluded from the requirement to obtain environmental authorisation, while section 24(2)(d) specifically provides the ability to exclude activities based on compliance with prescribed norms or standards, the development of which is provided for in section 24(10) of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

This Norm entitled "Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity" will be applicable to the activities identified in the Schedule and in areas verified to be of low or medium environmental sensitivity on the national web based environmental screening tool and for associated linear infrastructure, in areas of high or very high environmental sensitivity under certain conditions.

The national web based environmental screening tool has been developed based on information gathered through two strategic environmental assessments related to overhead transmission and distribution infrastructure, as well as three strategic environmental assessments that were undertaken for renewable energy generation technology and a further strategic environmental assessment undertaken for gas infrastructure. The experience gained and information generated from these strategic environmental assessments as well as the collation of information generated by other national departments and state owned entities. This screening tool provides guidance on environmental sensitivities of a specific geographical location or site related to various identified environmental themes. Environmental sensitivities are rated as "very high", "high", "medium" or "low".

Members of the public are invited to submit written comments or input, within 30 days from the date of the publication of this Notice in the *Government Gazette*, to any of the following addresses:

By post to: Department of Forestry, Fisheries and the Environment
The Director-General
Attention: Dr Dee Fischer
Private Bag X447
PRETORIA
0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, Pretoria.
By e-mail: dfischer@dffe.gov.za

Any inquiries in connection with the Notice can be directed to Dr Dee Fischer by phone at 012 399 8843 or by mail at dfischer@dffe.gov.za.

Comments or input received after the closing date may not be considered.

A hard copy of any document associated with this Notice may be requested from Ms M Masondo at tel: 012 399 9277, email: mmasondo@dffe.gov.za or collected at Environment House, 473 Steve Biko Road, Arcadia, Pretoria. The documents can be downloaded from the Department's website at https://www.dffe.gov.za/projectprogrammes/environmental_management_instruments and the Government Notice can be downloaded from the Department's website at https://www.dffe.gov.za/legislation/gazetted_notices.

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto are collated into a comments and response report which will be made available to the public as part of the consultation process. If a commenting party has any objection to his or her name, or the name of the represented company/ organisation, being made publicly available in the comments and responses report, such objection should be highlighted in bold as part of the comments submitted in response to this Government Notice.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

NORM FOR THE EXCLUSION OF IDENTIFIED ACTIVITIES ASSOCIATED WITH THE DEVELOPMENT AND EXPANSION OF TRANSMISSION AND DISTRIBUTION SUBSTATIONS IN AREAS OF LOW OR MEDIUM ENVIRONMENTAL SENSITIVITY

1. Definitions

In this Schedule 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 unless the context indicates otherwise —

“competent authority” means the organ of state that would have been designated by section 24C of the Act with considering an application for an environmental authorisation in respect of a listed or specified activity;

“corridor” means a belt of land linking two locations, in which a final servitude may be registered and within which linear infrastructure integral to the substation is proposed;

“developer” means a proponent that has successfully registered activities in terms of the Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity;

“environmental scientist” means a person registered under the Natural Scientific Professions Act (Act No. 27 of 2003) by the South African Council of Natural Scientific Professions under a specific field of practice;

“footprint” means the area on which the transmission or distribution substation and associated structures or infrastructure is proposed to be located, including any relevant buffer, but excluding a corridor;

“Generic EMPr” means the Generic Environmental Management Programme for the Development and Expansion of Substation Infrastructure for the Transmission and Distribution of Electricity, published under Government Notice No. R. 435 in Government Gazette No. 42323 of 22 March 2019, as amended from time to time;

“linear infrastructure” is characterised by its generally linear spatial form and in the context of this Norm such linear infrastructure must provide either services or access to the proposed facility and must form an integral part of the proposed facility but excludes transmission or distribution power lines;

“Listing Notice 1” means the 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 from time to time;

“Listing Notice 2” means the 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 from time to time;

"pre-negotiation" means discussion prior to formal negotiation, which results in the signing of a letter of no-objection or a letter of agreement which documents an in-principal agreement that the corridor alignment may traverse the landowner's property.

"proponent" means a person that submits a request for registration to undertake an activity contemplated in paragraph 3 of this Norm and is responsible for ensuring compliance with the conditions set in this Norm;

"screening tool" means the National Web Based Environmental Screening Tool which is accessible at <https://screening.environment.gov.za>;

"specialist" means a person who is skilled in a specific and restricted field and is registered under the Natural Scientific Professions Act (Act No. 27 of 2003) by the South African Council of Natural Scientific Professions under a specific field of practice;

"substation" means a site where switching and/or transformation equipment is installed, which could reduce the high voltage of electrical power transmission to that suitable for distribution or increase the voltage for transmission into the grid and which includes the land on which the installation and infrastructure is to be located;

"the Act" means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

"the Appeals Regulations" means the National Appeals Regulations, 2014, published under Government Notice No. R. 993 in Government Gazette No. 38303 of 8 December 2014, as amended from time to time; and

"the 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 from time to time.

2. Scope of the Exclusion

2.1. The activities contemplated in paragraph 3 of this Norm are excluded from the requirement to obtain an environmental authorisation—

2.1.1. where the activities have not yet been commenced with;

2.1.2. when the activities are proposed to be undertaken in areas of "low" or "medium" environmental sensitivity as identified by the screening tool for the following environmental themes:

2.1.2.1. Agriculture;

2.1.2.2. Aquatic biodiversity;

2.1.2.3. Terrestrial biodiversity inclusive of flora and ecosystems;

2.1.2.4. Avifauna species; and

2.1.2.5. Plant species; and

2.1.3. when undertaken in compliance with the requirements contemplated in this paragraph and paragraphs 4 and 5, read with paragraphs 7 or 8 of this Norm;

- (a) with the exception of linear infrastructure which forms an integral part of the substation or expanded substation, which is located in a pre-negotiated corridor, which may be located in areas of "very high", "high", "medium" or "low" environmental sensitivity on condition that the requirements contained in paragraph 2.2 are complied with.

2.2. The exception of linear infrastructure contemplated in paragraph 2.1.(a) will only apply if–

- 2.2.1. the mitigation hierarchy has been applied to the pre-negotiated corridor and the environmental assessment practitioner or environmental scientist and specialists confirm in the site sensitivity verification report, that the proposed pre-negotiated corridor avoids areas of "very high" or "high" sensitivity, as far as practically possible;
- 2.2.2. through the site sensitivity verification, the relevant specialists identify areas within the corridor in which development is not permitted to take place due to environmental sensitivity and such areas are avoided;
- 2.2.3. no plant species of conservation concern is destroyed or removed and no breeding areas of species of conservation concern are impacted on;
- 2.2.4. through the site sensitivity verification, the relevant specialist identifies mitigation measures and confirms that these mitigation measures form part of the Generic EMPr or if not, that such mitigation measures are documented as Part C of the Generic EMPr and is attached as Appendix 6 to the registration form;
- 2.2.5. the relevant specialist confirms that any remaining environmental impact is acceptable after avoidance and mitigation; and
- 2.2.6. the environmental assessment practitioner or environmental scientist and relevant specialist confirm in the site sensitivity verification report that the necessary mitigation measures and areas where development is not permitted have been included and / or demarcated in the Generic EMPr.

2.3 With the exception of paragraph 2.1.1, where any of the requirements contemplated in this paragraph or paragraphs 4 and 5, read with paragraphs 7 or 8, cannot be met, this exclusion does not apply and the entire development or expansion is subject to the requirements of the EIA Regulations.

3. Activities

3.1. The activities which are the subject of this exclusion relate to the development or expansion of substations associated with electricity transmission and distribution and any associated activity identified in Listing Notice 1 or 2 necessary for the realisation of such facilities, including linear infrastructure but excluding distribution and transmission power line infrastructure.¹ The excluded activities for the development or expansion of substations, associated with electricity transmission and distribution, are the following:

3.1.1. Listing Notice 1:

3.1.1.1. Activity 11;

¹ Where distribution and transmission power line infrastructure is integral to the substation, the *Standard for the Development and Expansion of Electricity Transmission and Distribution Infrastructure* must be utilized should an exclusion be possible.

3.1.1.2. Activity 12(ii), only insofar as development or expansion occurs within a natural channel in which water flows regularly or intermittently;² and

3.1.1.3. Activity 47; and

3.1.2. Listing Notice 2:

3.1.2.1. Activity 9.

4. Site Sensitivity Verification

4.1 A proponent must ensure that a site sensitivity verification inspection is undertaken for the environmental themes contemplated in paragraph 2.1.2 to confirm whether or not the environmental sensitivity of the footprint and corridor is as identified by the screening tool.

4.2 The site sensitivity verification report must be prepared by a registered environmental assessment practitioner or an environmental scientist and signed off by the relevant specialists, all of whom must meet the requirements of regulation 13(1) of the EIA Regulations, read in the context of this Norm.

4.3 It is advised that a buffer is identified around the footprint to allow for slight adjustments without the need to resubmit the request for registration contemplated in this Norm,³ which buffer–

4.3.1 must be clearly indicated;

4.3.2 must envelope the footprint; and

4.3.3 must be subjected to the site sensitivity verification requirements of which the findings must confirm that it is in an area of low or medium environmental sensitivity.

4.4 A “very high” or “high” environmental sensitivity rating can be disputed by the relevant specialist provided that evidence and motivation to substantiate such a change of environmental sensitivity is provided.

4.5 The site sensitivity verification must be undertaken–

4.5.1 for the proposed footprint as well as the proposed corridor for linear infrastructure;

4.5.2 by specialists, with demonstrated expertise in the field for which they are undertaking the verification and where relevant, the taxonomic group of the species being considered; and

4.5.3 within the season which would be most relevant to identify the specific species or vegetation of interest.

4.6 The site sensitivity verification inspection must be a physical inspection,⁴ which may be supplemented by utilising any desk top information available, including any fine scale data available from the provincial department responsible for the environment, provincial conservation authorities or the relevant municipality, where available.

4.7 Where additional information identified in paragraph 4.6 has been used in the verification process, this information is to be identified in the site sensitivity verification report.

4.8 For the plant species theme, the relevant specialist must confirm the presence, likely presence, or absence of a species of conservation concern within a footprint and corridor, where relevant, identified as “medium” sensitivity by the screening tool.⁵

² Where the activity relates to a watercourse the exclusion relates only to a natural channel in which water flows regularly or intermittently as defined in “watercourse”.

³ A buffer around the linear infrastructure is not anticipated as the width of the corridor must allow for a buffer.

⁴ The physical inspection must be undertaken in line with the guidance provided in the Environmental Assessment Guideline for Ecosystems available at <https://begis.sanbi.org/>.

⁵ The site sensitivity verification to determine the presence or likely presence of SCC must be undertaken in accordance with the *Species Environmental Assessment Guidelines*.

- 4.9 Should a species of conservation concern be found on the footprint, where relevant or have been confirmed to be likely present, this exclusion will not apply and an application for an environmental authorisation must be submitted.
- 4.10 Should a species of conservation concern be found or have been confirmed to be likely present in the corridor, this exclusion applies under the conditions contemplated in paragraph 2.2.
- 4.11 The outcome of the site sensitivity verification must be recorded in the form of a site sensitivity report that confirms the "low" or "medium" environmental sensitivities as identified by the screening tool for the themes contemplated in paragraph 2.1.2 or disputes the "very high" or "high" environmental sensitivity for these themes and must include the relevant evidence.
- 4.12 The site sensitivity verification report must include verifiable evidence from the specialist's site sensitivity verification inspection, including as a minimum:
 - 4.12.1 a map showing the specialist's GPS track in relation to the proposed footprint; and
 - 4.12.2 at least 4 spatially representative sample site descriptions from across the inspected area that include as a minimum precise geographical coordinates of the sample site, one in situ photograph of the sample site and a habitat description of the sample site; and
 - 4.12.3 a map identifying any areas within the corridor in which development is not permitted due to environmental sensitivity, where relevant.

5. Consultation

- 5.1 The environmental assessment practitioner or environmental scientist on behalf of the proponent must identify and consult with parties who may be affected by the proposed development or expansion, including as a minimum the following:
 - 5.1.1 adjacent landowners and land occupiers;
 - 5.1.2 relevant conservation and biodiversity entities/agencies;
 - 5.1.3 relevant non-governmental organisations involved with ecology, including bird preservation;
 - 5.1.4 relevant tourist and farmers associations;
 - 5.1.5 the relevant heritage resources authority;⁶ and
 - 5.1.6 the relevant local government authority.
- 5.2 The consultation process must as a minimum include the following:
 - 5.2.1 notification of the proposed development including–
 - 5.2.1.1 details of the proponent;
 - 5.2.1.2 a detailed project description including the need and desirability of the proposed project;
 - 5.2.1.3 the location of the proposed facility including a map generated at an appropriate scale that displays the extent of the proposed facility in as much detail as possible, overlaid on the identified environmental sensitivities per theme;
 - 5.2.2 notification of where the site sensitivity verification report and Generic EMPr can be accessed; and
 - 5.2.3 a request for inputs and the timeframe in which inputs are to be submitted.

⁶ Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) applies to developments and expansions contemplated in this Norm and the relevant heritage resources authority identified at the link provided must be contacted (<https://www.sahra.org.za/development-applications-unit/>).

6. Geographical extent of the exclusion

This exclusion applies where–

- (a) the footprint or expanded footprint of a proposed substation or expanded substation, including any associated activities contemplated in paragraph 3, is to occur entirely–
 - (i) in areas of “medium” or “low” environmental sensitivity as identified by the screening tool and confirmed to be such by the site sensitivity verification inspection for the environmental themes as identified in paragraph 2.1.2 or
 - (ii) in areas where the site sensitivity verification for a specific theme identifies that the “very high” or “high” sensitivity rating of the screening tool is in fact “medium” or “low” sensitivity;
- (b) the corridor occurs in areas of “very high”, “high”, “medium” or “low” sensitivity subject to compliance with the conditions set out in paragraph 2.2.

7. Registration

- 7.1 Prior to the commencement of the activities contemplated in paragraph 3 of this Norm, the proponent must request registration of the proposed development or expansion from the competent authority.
- 7.2 The following documents must be submitted for registration:
 - 7.2.1 a completed and signed request for registration form contemplated in Appendix A, prepared by an environmental assessment practitioner or environmental scientist;
 - 7.2.2 the final screening report for the footprint of the proposed development or expansion generated by the screening tool, to be attached as Appendix 1;
 - 7.2.3 the final site sensitivity verification report identified in paragraph 4.10, which responds to the inputs provided during the consultation process, to be attached as Appendix 2;
 - 7.2.4 the written consent of the landowner or person in control of the land constituting the footprint, to be attached as Appendix 3;
 - 7.2.5 confirmation of pre-negotiation with landowners for land within the corridor, to be attached as Appendix 4;
 - 7.2.6 a locality map showing the location of the footprint and corridor including any areas within the corridor where no development is permitted to take place, overlaid on the confirmed environmental sensitivities, to be attached as Appendix 7;
 - 7.2.7 where applicable, Part C of the Generic EMPr, if any specific environmental sensitivity or attribute is identified which is not included in the pre-approved Generic EMPr template, to be attached as Appendix 6;
 - 7.2.8 evidence of the consultation process followed as contemplated in paragraph 5, as well as tabulated responses to inputs received, to be attached as Appendix 5;
 - 7.2.9 the signed declaration of commitment by the proponent to implement the Generic EMPr, as contemplated in Appendix 8; and
 - 7.2.10 the declaration of independence, curriculum vitae and professional affiliation registration certification of the EAP or environmental scientist and specialists to be attached as Appendices 9, 10 and 11 respectively.
- 7.3 Should the footprint or alignment of the linear infrastructure be amended where such amendment results in the footprint falling outside of the verified buffer,⁷ or the alignment of the linear

⁷ Where the footprint or alignment of the linear infrastructure is amended and remains within the buffer and corridor considered as part of the site sensitivity verification, re-registration is not required, the locality plan should merely be updated and kept on file at the site and displayed on the website of the developer.

infrastructure falling outside of the verified corridor, the requirements contemplated in paragraphs 2, 4, 5, 6 and 7 of this Norm are applicable and must be complied with.⁸

- 7.4 The registration of the development or expansion will expire if commencement does not occur within 6 years of the date on which the competent authority issued a registration number, in which case the process as identified in paragraphs 4, 5 and 7 of this Norm will apply afresh.

8. Re-registration

- 8.1 Re-registration of the substation or the expanded substation is required when there is a change of ownership of the substation or expanded substation for which the activities contemplated in paragraph 3 were excluded—
- 8.1.1 prior to construction; or
 - 8.1.2 prior to the completion of the construction; or
 - 8.1.3 after completion of the construction phase.⁹
- 8.2 In the case of a change of ownership of a registered substation or expanded substation the issued registration number is retained by the new owner.
- 8.3 In the case where the change of ownership occurs prior to the construction phase or the completion of the construction phase, within 30 days upon finalisation of the change of ownership, the new owner must submit a signed re-registration form contemplated in Appendix B and a signed declaration of commitment to implement the Generic EMP_r contemplated in paragraph 7.2.9.
- 8.4 When the change of ownership occurs after the finalisation of the construction phase, within 30 days upon finalisation of the change of ownership, the new owner must submit a signed re-registration form contemplated in Appendix B to the competent authority to enable the change of ownership details.

9. Processing of registration

- 9.1 Within 10 days of receipt of the correctly completed request for registration form and supporting documentation described in paragraph 7, or the re-registration form described in paragraph 8, the competent authority must register the substation development or expansion.
- 9.2 If information is incomplete or missing from the registration request, the competent authority must notify the proponent within 10 days of the receipt of the registration documents of such shortcomings.
- 9.3 On receiving the registration number, the holder must notify within 7 days, those parties consulted as contemplated in paragraph 5.1 that the registration number has been issued.
- 9.4 The holder must provide written notice to the compliance monitoring unit within the competent authority at least 14 days prior to the date on which the first of the activities contemplated in the scope of this Norm, including site preparation, will commence, in order to facilitate compliance inspections.
- 9.5 The competent authority must keep a register of all exclusions registered or re-registered in terms of this Norm and must make the information available on the website of the competent authority, which register must include, as a minimum:
- 9.5.1 the location of the substation or substation expansions excluded;
 - 9.5.2 the name of the registered holder;

⁸ It is not intended that the site sensitivity verification and the site sensitivity verification report are to be undertaken or prepared for the entire footprint, but only for the area of the footprint that has been amended and which has not yet been verified.

⁹ The re-registration in this case is required to ensure that infrastructure is registered in the name of the new owner or to provide a registration number for any part of the facility which is transferred to a new owner and is now a separate unit.

- 9.5.3 the date of registration; and
- 9.5.4 the location at which the registration documents can be accessed.¹⁰

10. General

- 10.1 The provisions of the Appeal Regulations are applicable to any registration issued in terms of this Norm.
- 10.2 Any amendments required to be made to Part C of the Generic EMPr during the construction phase must be prepared by an environmental assessment practitioner or environmental scientist and signed off by the relevant specialist.
- 10.3 Registration or re-registration documents and the Generic EMPr as well as any amendments to Part C of the Generic EMPr must be available at the registered substation location or office of the developer and on the website of the developer.
- 10.4 Non-compliance with this Norm constitutes an offence in terms of section 49A(1)(b) of the Act.

11. Transitional Arrangements

- 11.1. An application for environmental authorisation for activities contemplated in paragraph 3 of this Norm submitted in terms of the EIA Regulations, which is pending on the date of coming into effect of this Notice, must be finalised in accordance with the procedures of the EIA Regulations, or may be withdrawn.
- 11.2. A site sensitivity verification undertaken as part of an application for an environmental authorisation within a period of 6 years preceding the submission of a request to register in terms of this Norm, and which meets the requirements set out in this Norm, including supporting evidence, may be used to support a registration request submitted in terms of this Norm.
- 11.3. An environmental authorisation issued for a development or expansion contemplated in this Norm remains valid and are subject to the requirements of the EIA Regulations.

¹⁰ This could be in the library of the competent authority, the registered holder's offices or at the site if construction has commenced or has been finalised.

APPENDIX A – REGISTRATION FORM

Registration form to request registration in terms of the “*Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*” as required by paragraph 7 of the Norm.

FOR OFFICE USE ONLY	
Date of receipt of the registration form	
Registration number	

PROJECT TITLE (This must include local municipality and/or district municipality and province)

1. This form must always be used when requesting registration in terms of the “*Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*”. Registration in terms of this Norm allows for the exclusion from the requirement to obtain an environmental authorisation from the competent authority for listed and specified activities identified in paragraph 3 of the Norm.
2. All fields must be completed in full. The submission of incomplete information will lead to the registration being returned for inclusion of the missing information as contemplated in paragraph 9.2.
3. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g., Arial 10).
4. Unless protected by law, all information contained in and attached to this registration form, will become public information on receipt by the competent authority other than personal information of landowner/s.
5. Please note that where the competent authority is the national department responsible for the environment, this form must be copied to the relevant provincial environmental department(s) for their information.
6. Where the provincial environmental department is the competent authority, this form must be copied to the national department responsible for the environment at Norm_Standard@dfre.gov.za.
7. Maps must be produced using the Hartebeesthoek94 WGS84 coordinate system. Spatial data in shape file (.shp) format with associated metadata, packaged as a ZIP file (.zip), must be included in the supporting documentation. This must be provided electronically (in the form of a USB).

Departmental Details (example provided is for the national competent authority, where the provincial department is the competent authority, the details hereunder should be changed as relevant):

Online submission only:
[\(https://sfiler.environment.gov.za:8443/\)](https://sfiler.environment.gov.za:8443/).

Click <https://www.dffe.gov.za/documents/forms/legal> for guidance document which must be complied with in order to upload/submit files to this Competent Authority.

Physical address:

Department of Forestry, Fisheries and the Environment
 Attention: Chief Director: Integrated Environmental Authorisations
 Environment House
 473 Steve Biko Road
 Arcadia

For submission enquiries: Contact the Directorate: IEA Strategic Support, Coordination and Reporting at:

Email: EIApplications@dffe.gov.za

For EIA related implementation queries:

Email: EIAdmin@dffe.gov.za

For EIA related interpretation queries in terms of the Listed Activities:

Email: IQ@dffe.gov.za

COMPETENT AUTHORITY

Identified competent authority to consider the request for registration:	
Reason(s) in terms of section 24C of NEMA ¹¹ :	

DETAILS OF THE PROPONENT

All notifications regarding the registration will be sent to the proponent using the details provided in this section.

Title	Choose a title.
Name of the Proponent	Click or tap here to enter text.
Surname of the Proponent	Click or tap here to enter text.
Name of contact person for Proponent (name and surname) (if other)	Click or tap here to enter text.
Company/ Trading name (if any)	Click or tap here to enter text.
Company Registration Number	Click or tap here to enter text.
Physical address	Click or tap here to enter text.

¹¹ National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA).

Postal address	Click or tap here to enter text.
Postal code	Click or tap here to enter text.
Telephone	Click or tap here to enter text.
Cellphone	Click or tap here to enter text.
E-mail	Click or tap here to enter text.

ENVIRONMENTAL ASSESSMENT PRACTITIONER OR ENVIRONMENTAL SCIENTIST INFORMATION

Company of Environmental Assessment Practitioner (EAP) or environmental scientist (ES):
 EAP or ES's name:
 EAP or ES's qualifications:
 Professional affiliation/registration¹²:
 Physical address:
 Postal address:
 Postal code:
 Telephone:
 E-mail:

		Cell:

The appointed EAP/ES and relevant specialists must meet the requirements of regulation 13(1) of the EIA Regulations¹³ as if it applies in the context of this Norm and must sign the declaration of independence included as Appendix 9 The declaration which must be sworn under oath must affirm that all the information submitted for the purposes of the registration is true and correct. A separate declaration by the relevant EAP/ES and each specialist is required. The Curriculum Vitae of the EAP/ES and specialists must be included as Appendix 10 and the professional affiliation/registration certificate is to be included as Appendix 11.

PROJECT INFORMATION AND MAPS

Please provide a **detailed** description of the project including the associated infrastructure which must include the following:

- preliminary technology to be used; and
- any associated structures or infrastructure.

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¹² A copy of the actual professional registration or confirmation of affiliation must be attached.

¹³ The Environmental Impact Assessment Regulations, 2014, published under Government Notice No. R. 982 in Government Gazette No. 38282 of 4 December 2014, as amended from time to time.

A copy of the final screening report generated by the screening tool (which includes the coordinates of the farm portions), which identifies the site, the footprint of the substation or expanded substation and the corridor in which the linear infrastructure, where relevant, will be developed must be included as Appendix 1 of the registration form.

A copy of the final site sensitivity verification report must be included as Appendix 2 of the registration form.

A locality map must be included as Appendix 7 of the registration form. The map must include the following:

- the project site;
- the footprint identifying the buffer of the proposed substation or expanded substation, overlaid on the identified site sensitivities, including but not limited to vegetation, critical biodiversity area/s, world heritage site, etc.;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s);
- a north arrow;
- a legend;
- a scale bar; and
- GPS co-ordinates of the proposed substation or expanded substation infrastructure including, amongst others, the access road where relevant.

Accompanying spatial data must be submitted electronically in shape file format (.shp) files with associated metadata, packaged as a ZIP file (.zip).

SITE DESCRIPTION

Provide a detailed description of the site involved in the registration.

Province/s	
District Municipality/ies	
Local Municipality/ies	
Ward number/s	
Nearest town/s	
Farm name/s and number/s	
Portion number/s	

LIST OF APPENDICES TO BE POPULATED

		SUBMITTED	
APPENDIX 1	Final screening report	YES	NO
APPENDIX 2	Final site sensitivity verification report	YES	NO

APPENDIX 3	Landowner consent letter	YES	NO
APPENDIX 4	Confirmation of pre-negotiation	YES	NO
APPENDIX 5	Evidence of consultation	YES	NO
APPENDIX 6	Final Generic environmental management programme – Part C (if applicable)	YES	NO
APPENDIX 7	Locality map	YES	NO
APPENDIX 8	Declaration of commitment by the proponent to implement the Generic Environmental Management Programme	YES	NO
APPENDIX 9	Declaration of independence of each environmental assessment practitioner/environmental scientist and specialists	YES	NO
APPENDIX 10	Curriculum vitae of each environmental assessment practitioner/environmental scientist and specialists	YES	NO
APPENDIX 11	Professional affiliation/registration certification of each environmental assessment practitioner/environmental scientist and specialists	YES	NO

APPENDIX B – RE-REGISTRATION FORM

Form to request re-registration in terms of the “Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity” as required in terms of paragraph 8 of this Norm where there is a change of ownership-

- prior to construction;
- prior to the completion of the construction; or
- after completion of the construction phase.

PROJECT TITLE (This must include local municipality and/or district municipality and province)

FOR OFFICE USE ONLY	
Date of receipt of the re-registration form	

1. This form must always be used when requesting re-registration in terms of the “Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity”. Re-registration in terms of this Norm allows for the exclusion from the requirement to obtain an environmental authorisation from the competent authority for listed and specified activities identified in paragraph 3 of the Norm.
2. All fields must be completed in full. The submission of incomplete information will lead to the re-registration being returned for inclusion of the missing information as contemplated in paragraph 9.2.
3. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g., Arial 10).
4. Unless protected by law, all information contained in and attached to this re-registration form, will become public information on receipt by the competent authority other than the personal information of the landowner/s.
5. Please note that where the competent authority is the national department responsible for the environment, this form must be copied to the relevant provincial environmental department(s) for their information.
6. Where the provincial environmental department is the competent authority, this form must be copied to the national department responsible for the environment at Norm_Standard@dffe.gov.za.

Departmental Details (example provided is for the national competent authority, where the provincial department is the competent authority, the details hereunder should be changed as relevant):

Online submission only:

(<https://sfiler.environment.gov.za:8443/>).

Click <https://www.dffe.gov.za/documents/forms/legal> for guidance document which must be complied with in order to upload/submit files to this Competent Authority.

Physical address:

Department of Forestry, Fisheries and the Environment
 Attention: Chief Director: Integrated Environmental Authorisations
 Environment House
 473 Steve Biko Road
 Arcadia

For submission enquiries: Contact the Directorate: IEA Strategic Support, Coordination and Reporting at:

Email: EIAApplications@dffe.gov.za

For EIA related implementation queries:

Email: EIAdmin@dffe.gov.za

For EIA related interpretation queries in terms of the Listed Activities:

Email: IQ@dffe.gov.za

COMPETENT AUTHORITY

Identified competent authority to consider the application:	
Reason(s) in terms of section 24C of NEMA ¹⁴ :	

PROJECT DETAILS

Existing Project Name	
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Existing Registration number ¹⁵	
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DETAILS OF THE EXISTING REGISTERED DEVELOPER

¹⁴ National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA).

¹⁵ In the case of a change of ownership the existing registration number is maintained.

Information regarding the re-registration will be sent to the existing registered developer using the details provided in this section.

Title	Choose a title.
Name of the existing registered developer	Click or tap here to enter text.
Surname of the existing registered developer	Click or tap here to enter text.
Name of contact person for existing registered developer (name and surname) (if other)	Click or tap here to enter text.
Company/ Trading name (if any)	Click or tap here to enter text.
Company Registration Number	Click or tap here to enter text.
Physical address	Click or tap here to enter text.
Postal address	Click or tap here to enter text.
Postal code	Click or tap here to enter text.
Telephone	Click or tap here to enter text.
Cellphone	Click or tap here to enter text.
E-mail	Click or tap here to enter text.

DETAILS OF THE NEW OWNER

Information regarding the re-registration will be sent to the new owner using the details provided in this section.

Title	Choose a title.
Name of the new owner	Click or tap here to enter text.
Surname of the new owner	Click or tap here to enter text.
Name of contact person for new owner (name and surname) (if other)	Click or tap here to enter text.
Company/ Trading name (if any)	Click or tap here to enter text.
Company Registration Number	Click or tap here to enter text.
Physical address	Click or tap here to enter text.
Postal address	Click or tap here to enter text.
Postal code	Click or tap here to enter text.
Telephone	Click or tap here to enter text.
Cellphone	Click or tap here to enter text.
E-mail	Click or tap here to enter text.

DETAILS OF THE DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE REGISTERED

Provide details of the existing registered development	
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A locality map of the existing registered development or expansion be attached as Appendix 7 of the registration form. The map must include the following:

- the project site;
- the layout of the proposed substation or expanded substation;
- footprint of the proposed substation or expanded substation and any relevant corridor in which the linear infrastructure is to be developed;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s);
- a north arrow;
- a legend;
- a scale bar; and
- the GPS co-ordinates of the footprint of the proposed substation or expanded substation and the routing of the linear infrastructure where relevant, including the access road where relevant; and
- the facilities and infrastructure including the GPS co-ordinates of the facilities and/or infrastructure for which a change of ownership is being requested.

LIST OF APPENDICES TO BE POPULATED

		SUBMITTED	
APPENDIX 6	Final Generic Environmental Management Programme – Part C (if applicable)	YES	NO
APPENDIX 7	Locality map		
APPENDIX 8	Declaration of commitment by the proponent/developer/new owner to implement the Generic Environmental Management Programme	YES	NO
APPENDIX 9	Declaration of independence of each environmental assessment practitioner/environmental scientist or environmental specialist	YES	NO
APPENDIX 10	Curriculum vitae of each environmental assessment practitioner/environmental scientist and specialists	YES	NO
APPENDIX 11	Professional affiliation/registration certification of each environmental assessment practitioner/environmental scientist and specialists	YES	NO

APPENDIX 1:
FINAL SCREENING REPORT

APPENDIX 2:
FINAL SITE SENSITIVITY VERIFICATION REPORT

APPENDIX 3:
LANDOWNERS CONSENT LETTER

APPENDIX 4:
CONFIRMATION OF PRE-NEGOTIATION

APPENDIX 5:
EVIDENCE OF CONSULTATION

APPENDIX 6:

FINAL GENERIC ENVIRONMENTAL MANAGEMENT PROGRAMME – PART C (if applicable)

**APPENDIX 7:
LOCALITY MAP**

APPENDIX 8:**DECLARATION OF COMMITMENT BY THE PROPONENT/DEVELOPER/NEW OWNER TO IMPLEMENT THE GENERIC ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr)**

I, _____ hereby declare that:

- I am the proponent/developer/new owner in this registration;
- I have appointed an environmental assessment practitioner (EAP) or environmental scientist (ES) to act as the independent EAP/ES for the registration/re-registration with the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*;
- I have taken all reasonable steps to verify whether the EAP/ES and specialists appointed are independent and have relevant expertise, including knowledge of the Act¹⁶ and any guidelines that have relevance to the proposed activity;
- I have provided the EAP/ES and specialists with access to all information at my disposal that is relevant to the registration;
- I am responsible for implementing the Generic EMPr;
- I am responsible for the costs incurred in complying with the Generic EMPr, including but not limited to –
 - costs incurred in connection with the appointment of the EAP/ES or any person contracted by the EAP/ES;
 - costs incurred in respect of the undertaking of any process required in terms of the Generic EMPr; and
 - costs associated with implementing the avoidance and mitigation measures contained in the Generic EMPr;
- I will perform all obligations as expected from a proponent/developer in terms of the Generic EMPr;
- I have read the completed registration/re-registration form and supporting documents and hereby confirm that the information provided is, to the best of my knowledge, true and correct;
- All the particulars furnished by me in this form are true and correct;
- I have not commenced with the project as described in the registration form and will not commence until a registration number has been received; or¹⁷
- I have not commenced with development or expansion of any substation or any of its associated infrastructure for which re-registration is required; and
- I am fully aware of my responsibilities in terms of the Act and failure to comply with these requirements may constitute an offence. I am aware of what constitutes an offence in terms of the Notice and that a person convicted of an offence is liable to the penalties as contemplated in section 49A(1)(b) of the Act.

¹⁶ The National Environmental Management Act, 1998 (Act No. 107 of 1998)

¹⁷ Delete whichever is not applicable.

Proponent/developer (Name and Surname) _____

Name of Company (If Applicable) _____

Designation _____

Signature¹⁸ _____

Date _____ **Place** _____

¹⁸ This registration form must be signed by the proponent.

APPENDIX 9:

DECLARATION OF INDEPENDENCE OF EACH ENVIRONMENTAL ASSESSMENT PRACTITIONER OR ENVIRONMENTAL SCIENTIST AND SPECIALIST

Declaration of environmental assessment practitioner (EAP) or environmental scientist (ES) and specialist

I, _____, declare that –

- I act as the independent EAP/ES or specialist in the registration process in terms of this *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*;
- I have expertise in conducting environmental impact assessments and/or specialist assessment, including knowledge of the Act¹⁹ and any guidelines that have relevance to the proposed activity and professional knowledge in the relevant environmental theme for which I am the specialist;
- I have complied with the Act, the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity* and all other applicable legislation;
- I have performed the work relating to the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*, in an objective manner;
- I have taken into account, to the extent possible, the requirements of the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity* and matters listed in regulation 13(1) of the EIA Regulations, read in the context of the Norm, when preparing the reports relating to this registration process;
- I have disclosed to the proponent/developer all material information in my possession that reasonably has or may have the potential of influencing this registration process; and the objectivity of any site verification, report, plan or document to be prepared by myself to support the registration process, unless access to that information is protected by law, in which case, I have indicated that such information exists and will be provided to the competent authority as part of the registration process; and
- I have performed all obligations as expected from an environmental assessment practitioner/environmental scientist and specialist in terms of the registration process in terms of the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*.

Disclosure of vested interest (delete whichever is not applicable)

- I do not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the *Norm for the Exclusion of Identified Activities Associated with the Development and Expansion of Transmission and Distribution Substations in Areas of Low or Medium Environmental Sensitivity*;

OR

¹⁹ The National Environmental Management Act, 1998 (Act No. 107 of 1998)

- I have a vested interest in the proposed activity proceeding, such vested interest being:

Signature of the environmental assessment practitioner or environmental scientist or specialist

Name of Company (if applicable)

Date

APPENDIX 10:
**CURRICULUM VITAE OF EACH ENVIRONMENTAL ASSESSMENT PRACTITIONER OR
ENVIRONMENTAL SCIENTIST AND SPECIALIST**

APPENDIX 11:

**PROFESSIONAL AFFILIATION/REGISTRATION CERTIFICATE OF EACH ENVIRONMENTAL
ASSESSMENT PRACTITIONER OR ENVIRONMENTAL SCIENTIST AND SPECIALISTS**