environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road · Arcadia PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/643
Enquiries: Ms Mmamohale Kabasa
Telephone: (012) 399 9420 **E-mail:** MKabasa@environment.gov.za

Mr Louis Dewavrin
Dassiesridge Wind Power (Pty) Ltd
PO Box 1116
PORT ELIZABETH
6000

Telephone number: (041) 506 4900
Email Address: ldewarvin@innowind.com

PER EMAIL / MAIL

Dear Mr Dewavrin

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/545/546 FOR THE PROPOSED 140MW DASSIESRIDGE WIND ENERGY FACILITY NORTH OF THE TOWN OF UITENHAGE WITHIN THE NELSON MANDELA BAY METROPOLITAN MUNICIPALITY AND THE SUNDAY RIVER LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

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

The following activities are however not authorised:

GN R. 544: Activity 10:
"The construction of facilities or infrastructure for the transmission and distribution of electricity-
(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV."

- This activity is not authorised, due to the preferred alternative being a 132kV line, and the powerline route falls with the approved Eskom corridor for the Gamma – Grassridge 765kV Transmission Powerline X2 (Reference12/12/20/801, EA valid until 08 October 2018) and is therefore excluded from the EA.

GN R. 544: Activity 13:
"The construction of facilities or infrastructure for the storage, or for the storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres"

- This activity is not authorised as part of this EA for the proposed development, as the impacts of the proposed activity have not been adequately assessed and mitigated for in the EIAr and the EMPr.

GN R. 545: Activity 8:
"The construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kV or more, outside an urban area or industrial complex"

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PETER JOHN THOMPSON
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- This activity is not authorised, due to it not being selected as the preferred powerline option by the EAP and Applicant in the EIA process. Furthermore, this powerline route falls with the approved Eskom corridor for the Gamma – Grassridge 765kV Transmission Powerline X2 (Reference12/12/20/801, EA valid until 08 October 2018) and is therefore excluded from the EA.

GN R. 546: Activity 14:
"The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation..."

- This activity is not authorised as part of this EA for the proposed development, as the EAP specified that this activity is no longer applicable in terms of the EIA Regulations, 2014.

GN R. 983 Activity 11:
"The development of facilities or infrastructure for the transmission and distribution of electricity-
(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV...."

- This activity is not authorised, due to the preferred alternative being a 132kV line, and the powerline route falls with the approved Eskom corridor for the Gamma – Grassridge 765kV Transmission Powerline X2 (Reference12/12/20/801, EA valid until 08 October 2018) and is therefore excluded from the EA.

GN R. 983 Activity 14:
"The development of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic meters."

- This activity is not authorised as part of this EA for the proposed development, as the impacts of the proposed activity have not been adequately assessed and mitigated for in the EIAr and the EMPr.

GN R. 984 Activity 9:
"The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex. "

- This activity is not authorised, due to it not being selected as the preferred powerline option by the EAP and Applicant in the EIA process. Furthermore, this powerline route falls with the approved Eskom corridor for the Gamma – Grassridge 765kV Transmission Powerline X2 (Reference12/12/20/801, EA valid until 08 October 2018) and is therefore excluded from the EA.

In terms of Regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

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By post: Private Bag X447,
Pretoria, 0001; or

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Appeals must be submitted in writing to:

Mr. Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr. Hassam can also be contacted at:

Tel: (012) 399 9356
Email: AppealsDirectorate@environment.gov.za

The authorised activities must not commence within twenty (20) days of the date of signature of the environmental authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

Yours faithfully

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 18/05/2021

cc:	T Martin	Coastal & Environmental Services	Email: t.martin@cesnet.co.za
	A Struwig	DEDEA	Email: andries.struwig@deaet.ecape.gov.za
	J Mkosana	Nelson Mandela Bay Metropolitan Municipality	Email: jmkosana@mandelametro.gov.za
	K Makgoka	Sundays River Valley Local Municipality	Email: renneb@srvm.gov.za

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APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: • a notice indicating where and for what period the appeal submission will be available for inspection.	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal must be:-**
   a) submitted in writing;
   b) accompanied by:
      - a statement setting out the grounds of appeal;
      - supporting documentation which is referred to in the appeal; and
      - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

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Environmental Affairs
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Environmental Authorisation

In terms of Regulation 36 of the Environmental Impact Assessment Regulations, 2010

The 140MW Dassiesridge Wind Energy Facility north of the town of Uitenhage within the Nelson Mandela Bay Metropolitan Municipality and Sunday River Valley Local Municipality in the Eastern Cape Province

Cacadu District Municipality

Authorisation register number:	*14/12/16/3/3/2/643*
Last amended:	*First issue*
Holder of authorisation:	*Dassiesridge Wind Power (Pty) Ltd.*
Location of activity:	*Gringley 188* *Remainder of Blauw Baatjies 189* *Portion 4 of Blauw Baatjies 189* *Portion 3 of Blauw Baatjies 189* *Grassridge 187* *Nelson Mandela Bay Metropolitan Municipality* *Sundays River Valley Local Municipality* *Cacadu District Municipality* *Eastern Cape Province*

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

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Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises-

DASSIESRIDGE WIND POWER (PTY) LTD

(hereafter referred to as the holder of the authorisation)

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with the following contact details –
Mr Louis Dewavrin
PO Box 1116
PORT ELIZABETH
6000

Telephone number:	(041) 506 4900
Cell phone number:	(071) 917 0452
Fax number:	(041) 484 3038
Email Address:	ldewarvin@innowind.com

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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 (GN R. 544, 545 & 546):

Activity number	Activity description
GN R. 544: Activity 11 *"The construction of:* *(xi) infrastructure or structures covering 50 square metres or more* *where such construction occurs within watercourse or within a 32m of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind a development setback line."*	This relates specifically to low level crossings and bridges that may need to be constructed or upgraded. These were assessed by the ecological specialist.
GN R. 544 Activity 18: *"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock form* *(i) watercourse."*	This relates specifically to low level crossings and bridges that may need to be constructed or upgraded. These were assessed by the ecological specialist.
GN R. 544 Activity 23: *"The transformation of undeveloped, vacant or derelict land to-* *(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares;-"*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.
GN R. 545: Activity 1: *"The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more."*	The EIA process is focussed on this activity, and thus most of the impacts identified can be related to the development of a facility for the generation of electricity.

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GN R. 545 Item 15 *"Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more."*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.
GN R. 546: Activity 4 *"The construction of a road wider than 4m with a reserve less than 13,5 m* *(a) In the Eastern Cape:* *(ii) Outside urban areas, in:* ***(bb) National** Protected Areas Expansion Strategy Focus Areas* ***(ee) in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans*** ***(gg) in areas within 10 km from national parks or world heritage sites or 5km from any other protected area identified in terms of NEMPAA or from core areas of a biosphere reserve"***	This activity is assessed by the agricultural specialist, the ecological specialist and in the general impacts section.
GN R. 546: Activity 13 *"The clearance of an area of 1Ha or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except…* *(a)Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.* ***(c)** In Eastern Cape:* ***(ii)** Outside urban areas, the following:* ***(ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA…"***	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.

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GN R.546 Activity 16: *"The construction of:* ***(iv)** infrastructure covering 10 square metres of more,* *where such construction occurs within a watercourse or within 32 metres of a watercourse…* *(a) In Eastern Cape* *(ii) Outside urban areas, **in:*** ***(bb) National** Protected Areas Expansion Strategy Focus Areas* *(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;* *(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve."*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.
GN R.546 Activity 19: *"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre* *(a) In the Eastern Cape:* *(ii) Outside urban areas in:* *(bb) National Protected Areas Expansion Strategy Focus Area* *(ee) Critical Biodiversity Areas as identified in systematic biodiversity plans* *(gg) Areas within 10 kilometers of National Parks*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.

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The following listed activities as described in Listing Notice 1, Listing Notice 2 and Listing Notice 3 (GN R. 983, 984 & 985):

Activity number	Activity description
GN R 983 Activity 12: *"The development of-* ***(xii)** infrastructure or structures with a physical footprint of 100 square metres or more;* *where such development occurs-* *(a) within a watercourse;* ***(c)** if no development setback exists, **within** 32 metres of a watercourse, measured from the edge of a watercourse ..."*	This relates specifically to low level crossings and bridges that may need to be constructed or upgraded. These were assessed by the ecological specialist.
GN R. 983 Activity 19: *"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-* *(i) a watercourse..."*	This relates specifically to low level crossings and bridges that may need to be constructed or upgraded. These were assessed by the ecological specialist.
GN R. 983 Activity 27: *"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation."*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.
GN R. 983 Activity 28(ii): *"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."*	This activity is assessed by the agricultural specialist.
GN R. 984 Activity 1: *"The development of facilities or infrastructure for the generation of electricity from a renewable*	The EIA process is focussed on this activity, and thus most of the impacts identified can be related

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resource where the electricity output is 20MW or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area....."	to the development of a facility for the generation of electricity.
GN R. 984 Activity 15: *"The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for* *(i) the undertaking of a linear activity; or* *(ii) maintenance purposes undertaken in accordance with a maintenance management plan."*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.
GN R. 985 Activity 4: *"The development of a road wider than 4 metres with a reserve less than 13, 5 metres.* *(b) in the Eastern Cape* *(ii) Outside build up areas* *(bb) National Protected Area Expansion Strategy Focus areas;* *(ee) in a Critical biodiversity areas identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans* *(gg) Areas within 10 kilometres from national parks or* *world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas; or"*	The Springs Local Authority Nature Reserve is within 10 km of the study site. The closest project boundary is located 7.4km from the Springs Local Authority Nature Reserve.
GN R. 985 Activity 12: *"The clearance of an area of 300 square metres or more of purposes undertaken in indigenous vegetation except where such clearance indigenous vegetation is required for maintenance accordance with a maintenance management plan* *(a) In Eastern Cape,*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.

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ii. Within critical biodiversity areas identified in bioregional plans;"	
GN R. 985: Activity 14: *The Development of-* *(xii)Infrastructure or structures with a physical footprint of 10 square metres or more in the* *(c)Eastern Cape;* *(ii) Outside urban areas, in:* *(bb) National Protected Area Expansion Strategy Focus Areas* *(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans* *(hh) Areas within 10km from national parks or world heritage sites or 5km from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve."*	Critical biodiversity areas were assessed by the ecological specialist.
GN R. 985 Activity 18: *"The widening of a road by more than 4 meters or the lengthening of a road by more than 1 kilometer. Outside urban areas in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority"*	This activity is assessed by the agricultural specialist, the ecological specialist, and in the general impacts section.

as described in the amended Environmental Impact Assessment Report (EIAr) dated December 2015 at:

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Preferred site alternative

Alternative (preferred site)	Latitude	Longitude
North-West Corner	33°33'33.88"S	25°25'28.52"E
North-East Corner	33°33'57.16"S	25°34'19.63"E
South-West Corner	33°42'7.73"S	25°31'55.85"E
South-East Corner	33°40'13.76"S	25°38'24.58"E
Access to site	33°34'34.61"S	25°25'55.14"E
	33°36'23.72"S	25°31'10.59"E
	33°38'11.42"S	25°31'54.93"E

- for the proposed 140 MW Dassiesridge WEF and its associated infrastructure on Gringley 188, Remainder of Blauw Baatjies 189, Portion 4 of Blauw Baatjies 189, Portion 3 of Blauw Baatjies 189 and Grassridge 187 located 20km north east of the town of Uitenhage within the Sundays River Valley Local Municipality and the Nelson Mandela Bay Metropolitan Municipality in the Eastern Cape Province, hereafter referred to as "the property".

The proposed Dassiesridge Wind Energy Facility will comprise the following:

- A maximum of 11 turbines with maximum generation capacity of 140MW;
- Turbine hub height of 137m and blade length of 66m;
- Concrete foundations up to approximately 20m x 20m in extent and up to 5m deep per turbine;
- A transformer of up to 5m x 5m per hard standing area per turbine;
- Hard standing areas of approximately 2 800m² for crane usage per turbine;
- Workshop and warehouses, a max. of 10 000m² temporary lay down area including an access road and contractor's site office area of up to 5 000m²;
- Medium voltage cables up to 1m deep connecting all turbines to the substation;
- Electrical system and UPS (Uninterruptible Power Supply) devices;
- Lighting system;
- Grounding system;
- Access and internal roads; and
- Fencing.

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Technical details for the proposed facility:

Component	Description/ Dimensions
Location of the site	~ 20km north-east of the town of Uitenhage
SG Codes	» C07600000000018800000 » C07600000000018900000 » C07600000000018900004 » C07600000000018900003 » C07600000000018700000
Site access	Existing farm roads (gravel) will be used to access the site. Three access roads will be used. » The farm road is situated northwest of the WEF and is accessible via the R75. » The farm road is situated south of the WEF and is accessible via the MR00470 » The farm road is situated east of the WEF and is accessible via the MR00470
Export capacity	140 MW
Proposed technology	Wind turbines
Number of Turbines	11
Hub height from ground level	137m
Rotor diameter	136m
Width and length of internal roads	Internal roads width: approximately 13m during construction and 6m during operation.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The construction of the Dassiesridge Wind Energy Facility and its associated infrastructure with a maximum output capacity of 140 MW as described above is hereby approved.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.

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3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
6. This activity must commence within a period of five (05) years from the date of issue of this authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. This authorisation does not negate the holder of the authorisations responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
9. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
11. The notification referred to must –
    - 11.1. specify the date on which the authorisation was issued;
    - 11.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
    - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and,
    - 11.4. give the reasons of the competent authority for the decision.

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PETER JOHN THOMPSON
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12. The holder of the authorisation must publish a notice –

    12.1. informing interested and affected parties of the decision;

    12.2. informing interested and affected parties where the decision can be accessed; and,

    12.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

13. A copy of the final development layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:

    13.1 Cable routes (where they are not along internal roads);

    13.2 Position of wind turbines and associated infrastructure;

    13.3 The location of the turbines that were removed as per condition 35 and 36 of this EA;

    13.4 The location of the turbines that must be relocated as per condition 53 and 54 of this EA;

    13.5 Internal roads indicating width;

    13.6 Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;

    13.7 All sensitive features e.g. Important Bird Areas, Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;

    13.8 Substation(s) inverters and/or transformer(s) sites including their entire footprint;

    13.9 Connection routes (including pylon positions) to the distribution/transmission network;

    13.10 All existing infrastructure on the site, such as roads;

    13.11 Soil heaps (temporary for topsoil and subsoil and permanently for excess material);

    13.12 Buildings, including accommodation; and,

    13.13 All "no-go" and buffer areas.

14. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84

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Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:
Department of Environmental Affairs
Private Bag X447
Pretoria
0001
Physical address:
Department of Environmental Affairs
Environment House
473 Steve Biko Road
Pretoria

For Attention: Mr Muhammad Essop
Integrated Environmental Authorisations
Strategic Infrastructure Developments
Telephone Number: (012) 399 9406
Email Address: MEssop@environment.gov.za

15. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.

16. The EMPr amendment must include the following:
    16.1. The requirements and conditions of this authorisation.
    16.2. All recommendations and mitigation measures recorded in the EIAr.

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16.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.

16.4. The final site layout map.

16.5. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.

16.6. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.

16.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.

16.8. A traffic management plan for the site access roads to ensure that no hazards would results from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.

16.9. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.

16.10. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.

16.11. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.

16.12. A fire management plan to be implemented during the construction and operational phases.

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16.13. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.

16.14. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.

16.15. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAr and this authorisation.

17. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.

18. Changes to the EMPr must be submitted to this Department for approval before such changes could be effected.

19. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.

Environmental Control Officer (ECO) and duties

20. The holder of this authorisation must appoint an independent and qualified Environmental Control Officer (ECO) with experience or expertise in undertaking ECO functions. The ECO will have the responsibility to ensure that the conditions referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

21. The ECO must be appointed before commencement of any authorised activity.

22. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of this Department.

23. The ECO must meet with the contractors to discuss the conditions of the EA and the contents of the EMPr prior to any site clearing occurring.

24. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

25. Records relating to monitoring and auditing must be kept on site and made available for inspection to the competent authority in respect of this development.

26. The duties of the ECO must include the following:

26.1. Keeping record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.

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26.2. Keeping and maintaining a detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register on site indicating how these issues were addressed, what rehabilitation measures were taken and what preventative measures were implemented to avoid re-occurrence of incidents/complaints.

26.3. Keeping and maintaining a daily site diary.

26.4. Keeping copies of all reports submitted to the Department.

26.5. Keeping and maintaining a schedule of current site activities including the monitoring of such activities.

26.6. Obtaining and keeping record of all documentation, permits, licences and authorisations such as waste disposal certificates, hazardous waste landfill site licences etc. required by this facility.

26.7. Compiling a monthly monitoring report.

Recording and reporting to the Department

27. The holder of this authorisation must keep all records relating to monitoring and auditing on site and make it available for inspection to any relevant and competent authority in respect of this development.

28. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at this Department.

Environmental audit report

29. The holder of the authorisation must submit an environmental audit report to the Director: Compliance Monitoring of the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.

30. The environmental audit report must:

30.1. Be compiled by an independent environmental auditor;

30.2. Indicate the date of the audit, the name of the auditor and the outcome of the audit;

30.3. Evaluate compliance with the requirements of the approved EMPr and this environmental authorisation;

30.4. Include measures to be implemented to attend to any non-compliances or degradation noted;

30.5. Include copies of any approvals granted by other authorities relevant to the development for the reporting period;

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30.6. Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed;

30.7. Include a copy of this authorisation and the approved EMPr;

30.8. Include all documentation such as waste disposal certificates, hazardous waste landfill site licences etc. pertaining to this authorisation; and

30.9. Include evidence of adherence to the conditions of this authorisation and the EMPr where relevant such as training records and attendance records.

Commencement of the activity

31. The authorised activity shall not commence within twenty (20) days of the date of signature of the environmental authorisation.

Notification to authorities

32. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence. This notification period may coincide with the Notice of Intent to Appeal period.

Operation of the activity

33. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

34. Should the activity ever cease or become redundant, the holder of this environmental authorisation shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

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Specific conditions

Turbines position

35. The following turbines are approved: WTG 01, 26, 27, 31, 35, 36, 37, 54, 56, 57, and 65.
36. The following turbines are excluded from this environmental authorisation: WTG02 – WTG25, WTG28 – WTG30, WTG32 – WTG34, WTG38 – WTG53, WTG55, WTG58 – WTG64, and WTG 66 – WTG 70.
37. The remaining approved turbines must be placed in a manner to avoid high visibility areas, "no-go" areas as well as its buffers.
38. The final placement of turbines must follow a micro siting procedure involving a walk-through and identification of any sensitive areas by botanical and avifaunal specialists.
39. Exclusion of sensitive ecological, heritage and paleontological areas from construction activities must inform the micro siting of all development activities.
40. Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.

Avifauna and bats

41. The following mitigation measures must form part of the EMPr and implemented accordingly:

41.1. Curtailment must initially start off at Level 3; then depending on the results of the post construction mortality monitoring the curtailment can be either relaxed or intensified (moving down or up in the levels) up to a maximum intensity of Level 5.

- Level 1: No curtailment (free-wheeling is unhindered below manufacturers cut in speed so all momentum is retained, thus normal operation). Feathering blades below manufacturer's cut-in speed to as close to 70 degrees as possible or more so as to reduce the free-wheeling blade rotation
- Level 2: Feathering of blades below manufacturers cut-in speed to as close to 90 degrees as possible so as to minimise free-wheeling blade rotation as much as possible without locking the blades.
- Level 3: 90 Degree feathering of blades below manufacturers cut in speed, with reduced power mode settings between manufacturers' cut-in speed and mitigation cut-in conditions.
- Level 4: 90 Degree feathering of blades below mitigation cut in conditions.
- Level 5: 90 Degree feathering throughout the entire night.

41.2. The following mitigation schedule must be adhered to when implementing any of the proposed mitigations listed above and must form part of the EMPr:

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41.2.1. 15 February - 15 April at sunset: above 6.5 m/s; below 17.5°C (measured at 10m agl) and above 7.5 m/s; below 16°C (measured at 50m agl).

41.2.2.. 01 January –15 February at sunset: above 10 m/s; below 16.5°C (measured at 10m agl) and above 9.5 m/s; below 17°C (measured at 50m agl).

42. All powerlines linking wind turbines to each other and to the internal substation must be buried.

43. As an absolute minimum, bird monitoring must occur at least 6 months pre-construction, continue during the construction period, and continue for at least two years during the operation of the facility. The results of this monitoring must be made available to the DEA and Birdlife South Africa (BLSA) and must further advise the EMPr where necessary.

44. The results of the pre-construction bird monitoring assessment, including all recommendations proposed by the reports dated December 2015, must inform the final layout and the construction schedule of the energy facility.

45. All bird monitoring must be conducted in accordance with the latest BirdLife South Africa/Endangered Wildlife Trust: Best practice guidelines for avian monitoring and impact mitigation at proposed wind energy development sites in Southern Africa.

46. The facility must be designed in a manner that infrastructure components that could be used as perching or roosting substrates by birds and bats, are avoided.

47. During construction the holder of this environmental authorisation must restrict the construction activities to the footprint area. No access to the remainder of the property is allowed.

48. Anti-collision devices such as bird flappers must be installed where powerlines cross avifaunal corridors (e.g. grasslands, rivers, wetlands, and dams). The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the powerline once the exact positions of the towers have been surveyed and pegged. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitment of anti-collision devices. These devices must be according to Eskom's Transmission and EWT's Guidelines.

49. A pre-construction walk through of the approved powerline alignment and turbine positions by a bat specialist, avifaunal specialist and ecologist, must be conducted to ensure that the micro-siting of the turbines, pylons and powerline alignment have the least possible impact, there are no nests sites of priority species on or close to the construction corridor, and all protected plant species impacted are identified.

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Vegetation, wetlands and water resources

50. The 'no-go' areas of the development property must be clearly demarcated and must be excluded from the final layout plan.
51. All watercourses are regarded as sensitive. All developments within 500m of watercourses must comply with the National Water Act.
52. The Coega Bontveld area and the Critical Biodiversity Areas are regarded as sensitive and must be ground-truthed to establish the exact location of these sensitive areas and they must be clearly demarcated and excluded from development.
53. Turbines WTG31, WTG36, WTG56, and WTG57 and associated infrastructure must be relocate to avoid the high sensitive areas.
54. The underground cable route associated with turbine WTG36 occurs in a sensitive area and must be relocated outside the sensitive area.
55. Relevant permits must be obtained from relevant authorities for any removal or destruction of Threatened or Protected Species (TOPs).
56. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
57. Construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
58. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the rehabilitation plan to be included in the final EMPr.
59. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
60. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
61. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water and Sanitation.
62. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
63. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).

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64. The holder of this authorisation must ensure that all the "No-go" and buffer areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
65. Contractors and construction workers must be clearly informed of the no-go areas.
66. Where roads pass right next to major water bodies, provision shall be made for fauna such as toads to pass under the roads by using culverts or similar structures.
67. Bridge design must be such that it minimise impact to riparian areas with minimal alterations to water flow and must allow the movement of fauna and flora.
68. The final development area should be surveyed for species suitable for search and rescue, which should be trans-located prior to the commencement of construction.
69. Electric fencing should not have any strands within 30cm of the ground, which should be sufficient to allow smaller mammals, reptiles and tortoises to pass through, but still remain effective as a security barrier.
70. Disturbed areas must be rehabilitated as soon as possible after construction with locally indigenous plants to enhance the conservation of existing natural vegetation on site.
71. Wetlands, rivers and river riparian areas must be treated as "no-go" areas and appropriately demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.
72. Workers must be made aware of the importance of not destroying or damaging the vegetation along rivers and in wetland areas and this awareness must be promoted throughout the construction phase.
73. Freshwater ecosystems located in close proximity to the construction areas must be inspected on a regular basis by the ECO for signs of disturbance from construction activities. If signs of disturbance are noted, immediate action must be taken to remedy the situation and, if necessary, a freshwater ecologist must be consulted for advice on the most suitable remediation measures.
74. No discharge of effluents or polluted water must be allowed into any rivers or wetland areas.
75. If construction areas are to be pumped of water (e.g. after rains), this water must be pumped into an appropriate settlement area, and not allowed to flow into any rivers or wetland areas.
76. Workers must be made aware of the importance of not polluting rivers or wetlands and of not undertaking activities that could result in such pollution, and this awareness must be promoted throughout the construction phase.
77. Freshwater ecosystems located in close proximity to the site must be inspected on a regular basis (but especially after rainfall) by the ECO for signs of sedimentation and pollution. If signs of sedimentation or pollution are noted, immediate action must be taken to remedy the situation and, if necessary, a freshwater ecologist must be consulted for advice on the most suitable remediation measures.

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Roads and transportation

78. Existing road infrastructure must be used as far as possible for providing access to the proposed turbine positions. Where no road infrastructure exists, new roads should be placed within existing disturbed areas or environmental conditions must be taken into account to ensure the minimum amount of damage is caused to natural habitats.
79. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuters, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
80. Internal access roads must be located to minimize stream crossings. All structures crossing streams must be located and constructed so that they do not decrease channel stability or increase water velocity.
81. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
82. Signage must be erected at appropriate points warning of turning traffic and the construction site.
83. Construction vehicles carrying materials to the site should avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
84. Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.
85. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
86. All construction vehicles should adhere to a low speed limit to avoid collisions with susceptible species such as snakes and tortoises.

Noise

87. A minimum 500m setback line applies to all occupied noise sensitive areas on the development properties.
88. Routine noise measurements must be conducted during the operation of the facility and a complaints register must opened and made available to affected parties and to the Department on request.
89. The holder of this authorisation must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and measures to limit noise from the work site are implemented.
90. The holder of this authorisation must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.

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91. The holder of this authorisation must ensure that all equipment and machinery are well maintained and equipped with silencers.
92. The holder of this authorisation must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
93. Positions of turbines jeopardizing compliance with accepted noise levels should be revised during the micro-siting of the units in question and predicted noise levels re-modelled by the noise specialist, in order to ensure that the predicted noise levels are less than 45dB(A).
94. Construction staff must be trained in actions to minimise noise impacts.

Visual resources

95. A viewing/stop bay along the R75 from which road users can view the wind facility must be constructed to reduce the risk of distraction while driving. The viewing bay must be included in the layout plan.
96. The holder of this authorisation must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
97. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.
98. Lighting of main structures (turbines) and ancillary buildings should be designed to minimise light pollution without compromising safety, and turbines must be lit according to Civil Aviation Regulations.
99. Signage on or near wind turbines must be avoided unless they serve to inform the public about wind turbines and their function.
100. Commercial messages and graffiti on turbines are prohibited.

Human health and safety

101. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
102. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.

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103. The holder of this authorisation must ensure that the operation of the wind facility shall comply with the relevant communication regulations or guidelines relating to electromagnetic interference, e.g. microwave, radio and television transmissions.

104. The holder of this authorisation must obtain approval from the South Africa Civil Aviation Authority that the wind facility will not interfere with the performance of aerodrome radio Communication, Navigation and Surveillance (CNS) equipment, especially the radar, prior to commencement of the activity. A copy of the approval must be kept on site by the ECO.

105. The holder of this authorisation must obtain approval from the South Africa Weather Services (WeatherSA) that the energy facility will not interfere with the performance of their equipment, especially radar, prior to commencement of the activity. A copy of the approval must be kept on site by the ECO.

106. The holder of this authorisation must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.

107. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.

108. No unsupervised open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

109. The Batching plant must preferably be located within laydown areas outside sensitive ecological, heritage and paleontological areas.

110. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.

111. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.

112. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved waste landfill site licensed to accept such waste.

113. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.

114. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.

115. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.

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116. Temporary bunds must be constructed around chemical storage to contain possible spills.
117. Spill kits must be made available on-site for the clean-up of spills.
118. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
119. The holder of this authorisation must provide sanitation facilities within the construction camps and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste disposal site.
120. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2014.

Excavation and blasting activities

121. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
122. Cabling routes outside internal access routes must be approved by this Department.
123. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
124. Borrow materials must be obtained only from authorised and permitted sites. Permits must be kept on site by the ECO.
125. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

126. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
127. Appropriate dust suppression techniques must be implemented on all exposed surfaces during periods of high wind. Such measures may include wet suppression, chemical stabilisation, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.

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Historical / cultural / paleontological resources

128. Pre-construction archaeological monitoring is required. The appointed archaeologist must keep a list documenting all identified farm infrastructure.
129. Archaeological monitoring at the time of vegetation clearing must be conducted at turbine line WTG01. Further recommendations to be made based on monitoring results.
130. The Site DR-S2 Colonial Period farmstead situated on the property Gringley 188 located in proximity of the proposed access road; must be formally conserved.
131. If concentrations of archaeological heritage material, fossils and human remains are uncovered during construction, all work must cease immediately and be reported to the South African Heritage Resources Agency (SAHRA) so that a systematic and professional investigation/excavation can be undertaken.
132. Construction managers/foremen must be informed before construction starts on the possible types of heritage sites and cultural material they may be encountered and the procedures to follow when they find sites.
133. All buffers and no-go areas stipulated in the EIAr must be adhered to for both the facilities and all roads and powerlines.
134. Should any human remains be uncovered during development they must be immediately protected in situ and reported to the heritage authorities or to an archaeologist. The remains will need to be exhumed at the cost of the developer.
135. All construction and maintenance crew and vehicles (except small vehicles which may use existing farm tracks) should be kept out of the buffer zones.
136. The final layout should be shown to the appointed archaeologist before implementation to confirm that all significant heritage resources have been adequately protected.

General

137. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.
138. A copy of this authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The environmental authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who undertakes work at the property.

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139. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of environmental authorisation as set out in this document or any other subsequent document emanating from these conditions of environmental authorisation.

Date of environmental authorisation: 18/05/2016

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

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Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

a) The listed activities as applied for in the amended application form received in December 2015.

b) The information contained in the EIAr dated December 2015;

c) The comments received from: Eskom, DEDEA, and interested and affected parties as included in the EIAr;

d) The findings of the site inspection conducted on 16 March 2016;

e) Mitigation measures as proposed in the EIAr and the EMPr;

f) The information contained in the specialist studies contained within the appendices of the EIAr and as appears below:

Title	Prepared by	Date
Agricultural and Soils Assessment	R. de Cock of EOH East London	October 2014 and August 2015
Bird monitoring report and avifaunal impact assessment	J. Smallie of Animalia Zoological & ecological consultation	December 2015 & August 2015
Fifth and Final Progress Report of a 12 month Long-Term Bat Monitoring Study	Monika Moir of Animalia zoological and ecological consultation	May 2015 and August 2015
Ecological Impact Assessment	Ayanda Zide of EOH	December 2014 and August 2015
Archaeological and Cultural Heritage Impact Assessment	K. van Rynveld of Archmaps archaeological consultancy	19 May 2014
Noise Impact Assessment	B. Williams of Safetech	July 2015 and August 2015
Palaeontological specialist assessment	J. Almond of Natura Viva cc	October 2014 and August 2015
Social Impact Assessment	M. Terblanche of Integrated Rural and Urban Development Expertise (Pty) Ltd.	January 2015 and August 2015
Visual Impact Assessment	R. Evans of EOH	January 2015 and

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g) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

a) Details provided of the qualifications of the Environmental Assessment Practitioner (EAP).

b) The objections from the Interested & Affected Parties.

c) The location of the proposed development within an authorised Eskom corridor.

d) The findings of all the specialist studies conducted and their recommended mitigation measures.

e) The need for the proposed project stems from the provision of electricity to the national grid.

f) The EIAr identified all legislation and guidelines that have been considered in the preparation of the EIAr.

g) The description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.

h) The methodology used in assessing the potential impacts identified in the EIAr and the specialist studies have been adequately indicated.

i) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

3. Findings

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

a) The identification and assessment of impacts are detailed in the EIAr and sufficient assessment of the key identified issues and impacts have been completed.

b) The procedure followed for impact assessment is adequate for the decision-making process.

c) The majority of the proposed turbine area is located within an approved Eskom corridor. Authorisation was granted to Eskom on 28 October 2008 (Reference 12/12/801) and validity

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period extended on 05 October 2015 (Reference 12/12/801/AM1) until 08 October 2018 for the construction of two 765kV Gamma Grassridge evacuation lines.

d) This Department understands the energy crisis in the country and did not completely refuse the proposed project. This Department is hereby authorising a portion of the development which does not encroach on an existing and valid environmental authorisation.

e) It should be noted that the Department authorised a total of approximately 105 wind energy facilities equivalent to more than 14000 MW's in South Africa in less sensitive environments.

f) Given the potential legal implications, a portion of the proposed development on the current site is not supported.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

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