



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

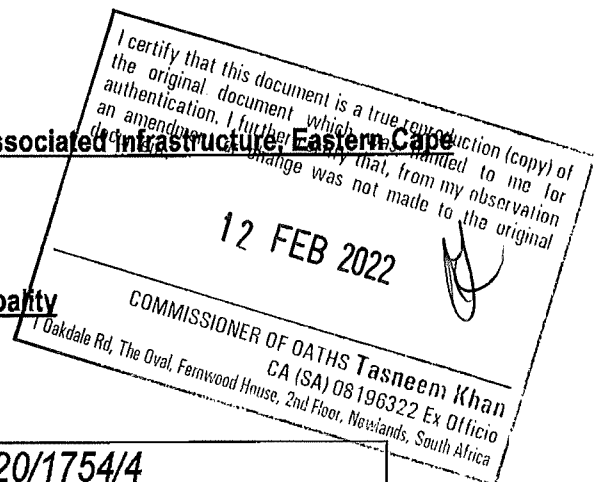
Environmental Authorisation

In terms of regulation 37 of the Environmental Impact Assessment Regulations, 2006

Amakhala Emoyeni Phase 4 Wind Energy Facility and associated infrastructure Eastern Cape

Province

Cacadu District Municipality



Authorisation register number:	12/12/20/1754/4
NEAS reference number:	DEA/NEAS/00012376/2011
Last amended:	Second issue
Holder of authorisation:	Windlab Developments South Africa (Pty) Ltd
Location of activity:	EASTERN CAPE PROVINCE: Between Cookhouse and Bedford within the Blue Crane Route Local Municipality

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.

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, 2006 the Department hereby authorises –

WINDLAB DEVELOPMENTS SOUTH AFRICA (PTY) LTD

with the following contact details –

Mr. Peter Venn

Windlab Developments South Africa (Pty) Ltd

Green Building

9B Bell Crescent Close

WEST LAKE

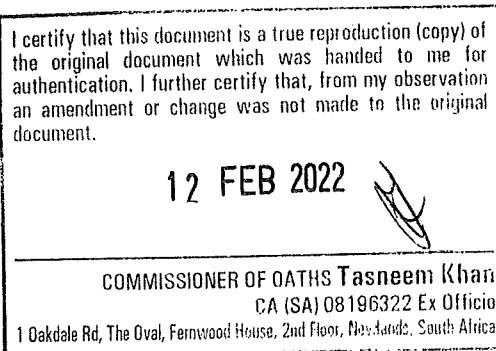
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to undertake the following activities (hereafter referred to as "the activity"):

Listed activities	Activity/Project description
<p><u>GN R. 386 Item 1(m):</u> The construction of facilities or infrastructure, including associated structures or infrastructure for any purpose in the one in ten year flood line of a river or stream, within 32 meters from a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including (i) canals (ii) channels (iii) bridges (iv) dams and (v) weirs</p>	<p>Some of the construction activities will need to be done within 32 m of watercourses on site.</p>
<p><u>GN R. 386 Item 12:</u> The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004).</p>	<p>Some indigenous vegetation will need to be removed during construction of the project.</p>
<p><u>GN R. 386 Item 16(b):</u> The transformation of undeveloped, vacant or derelict land to residential mixed, retail, commercial, industrial, or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare</p>	<p>The total development footprint will be approximately 27 200 ha for the industrial activity of electricity generation.</p>
<p><u>GN R. 386 Item 7:</u> The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30m³ but less than 1000 m³ at any one location or site.</p>	<p>The storage of fuels and lubricants during the construction phase of the activity will be necessary.</p>
<p><u>GN R. 387 Item 1(a):</u> The construction of facilities or infrastructure, including associated structures or infrastructure for the generation of electricity where (i) the electricity output is 20 megawatts or more or (ii) the elements of the facility cover a combined area in excess of 1 hectare</p>	<p>The different Phases of the project will generate a maximum of 405.6MW.</p>

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Listed activities	Activity/Project description
<u>GN R. 387 Item 1(l):</u> <i>The construction of facilities or infrastructure, including associated structures or infrastructure for the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more.</i>	New sections of 132kV overhead power line and one new section of 33/132/220/440kV power line feeding into the Poseidon Substation will be constructed.
<u>GN R. 387 Item 2:</u> <i>Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.</i>	The total development footprint will be approximately 27 200 ha.

as described in the Environmental Impact Report (EIR) dated May 2012 at:

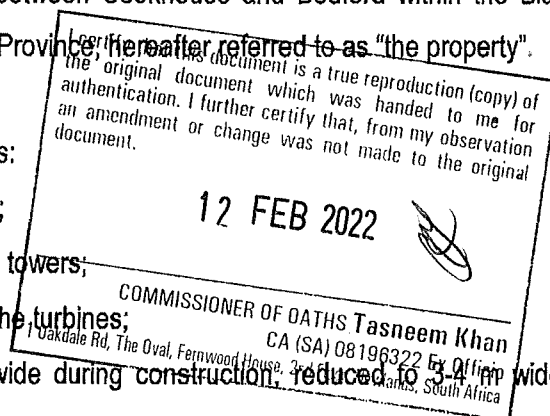
Site	Latitude	Longitude
Amakhala Emoyeni Phase 4 (Center point)	32° 54' 59" S	26° 09' 04" E

- for the establishment of the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure located on the following farms: Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Up to 40 wind turbines to the capacity of 84MW;;
- Foundations (20x 20x 2m) to support the turbine towers;
- Underground cables (where practical) between the turbines;
- Internal access roads to each turbine (4-6m wide during construction, reduced to 3.4m wide during operation);
- One (1) new sections of 132kV overhead power lines and one new section of 33/132/220/400kV power line feeding into the Poseidon Substation; and
- Possible on-site maintenance facility and visitor centre.

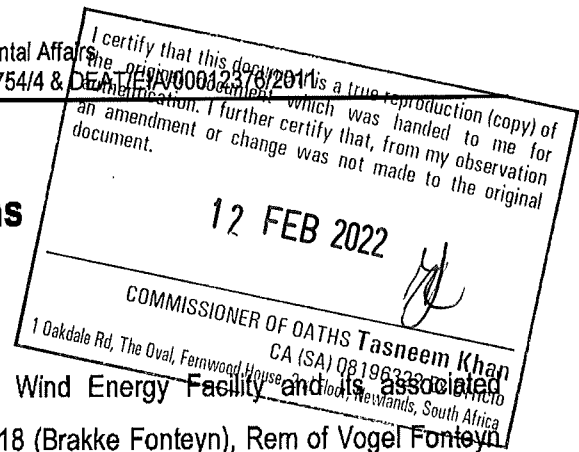
No substation will be built on the property but infrastructure (Substation 3) will be shared with Amakhala Emoyeni Phase 2.



Conditions

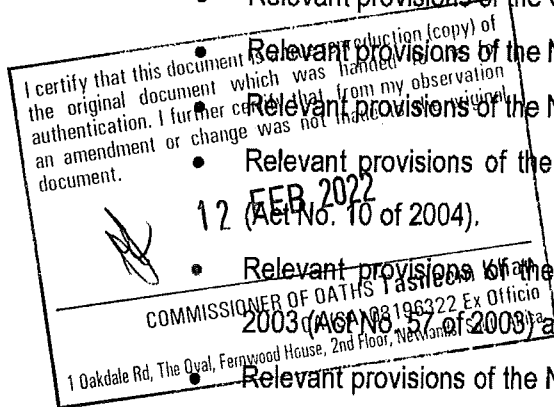
1. Scope of authorisation

- 1.1 The site for the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure on Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved.
- 1.2 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.
- 1.3 The holder of the authorisation shall be 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.
- 1.4 The activities authorised may only be carried out at the properties as described above.
- 1.5 The recommendations and mitigation measures recorded in the EIR dated November 2010 must be adhered to.
- 1.6 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.
- 1.7 This activity must commence within a period of three (3) years from the date of issue. 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.
- 1.8 Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
- 1.9 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



1.10 Relevant legislation that must be complied with by the holder of this authorisation includes, *inter alia*:

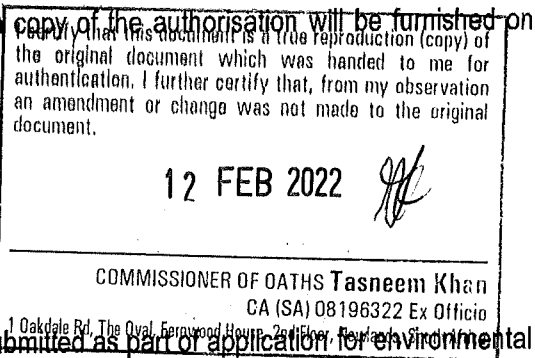
- Archaeological remains, artificial features and structures older than 60 years are protected by National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately. A registered Heritage Specialist must be called to the site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the site and the relevant heritage resource agency must be informed about the finding. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from the South African Heritage Resources Agency and/or any of their delegated provincial agencies.
- Relevant provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- Relevant provisions of the National Water Act, 1998 (Act No. 36 of 1998).
- Relevant provisions of the National Forests Act, 1998 (Act No. 84 of 1998).
- Relevant provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
- Relevant provisions of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) and its Regulations.
- Relevant provisions of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and its Regulations.
- Relevant provisions of the Hazardous Substance Act (Act No. 15 of 1973).
- Relevant Provisions of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).
- Relevant provisions of the Civil Aviation Act, 2009 (Act No. 13 of 2009).
- Should fill material be required for any purpose, the use of borrow pits must comply with the provisions of the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Mineral Resources.



1.11 The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

2. Notification of authorisation

- 2.1 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.
- 2.2 The notification referred to must –
- 2.2.1 specify the date on which the authorisation was issued;
- 2.2.2 inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment (EIA) Regulations, 2010;
- 2.2.3 advise the interested and affected party that a copy of the authorisation will be furnished on request; and
- 2.2.4 give the reasons for the decision.



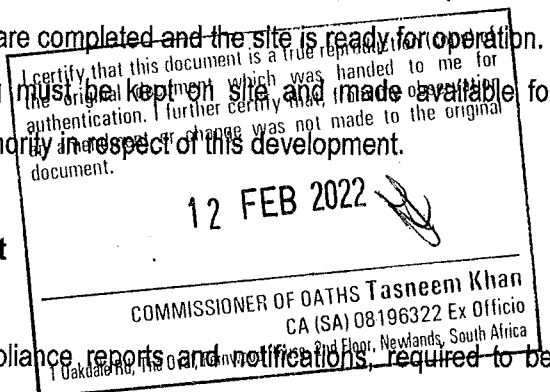
3. Management of the activity

- 3.1 The Environmental Management Plan (EMP) submitted as part of application for environmental authorisation must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the EIR dated November 2010 must be incorporated as part of the EMP. Once approved, the EMP must be implemented and adhered to. The amended EMP must also include the following:
- 3.1.1 Comprehensive rescue and storage in a suitable constructed nursery and storage area of plants deemed to be requiring either rescue for replanting and plants that will be useful during rehabilitation;
- 3.1.2 Detailed Revegetation and Rehabilitation Plan to be conducted during construction and operation;
- 3.1.3 A Rehabilitation Plan must be established to minimise adverse environmental impacts whilst maximising the future utilisation of the property; and
- 3.1.4 An Open Space Management Plan must be incorporated in the EMP.

4. Monitoring

- 4.1 The applicant must appoint a suitably experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure

- that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.
- 4.2 The ECO shall be appointed before commencement of any authorised activity.
- 4.3 Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 4.4 The ECO shall keep record of all activities on site; problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 4.5 A detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register must be kept 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.
- 4.6 In addition the ECO must maintain the following on site:
- 4.6.1 A daily site diary.
- 4.6.2 Copies of all reports submitted to the Department.
- 4.6.3 A schedule of current site activities including the monitoring of such activities.
- 4.7 The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
- 4.8 Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.
- 5. Recording and reporting to the Department**
- 5.1 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 the Department.
- 5.2 The holder of the authorisation must submit an environmental audit report to this Department upon completion of the construction and rehabilitation activities.
- 5.3 The environmental audit report must:
- 5.3.1 Be conducted by an independent environmental auditor;
- 5.3.2 Indicate the date of the audit, the name of the auditor and the outcome of the audit;
- 5.3.3 Evaluate compliance with the requirements of the approved EMP and this environmental authorisation;
- 5.3.4 Include measures to be implemented to attend to any non-compliances or degradation noted;

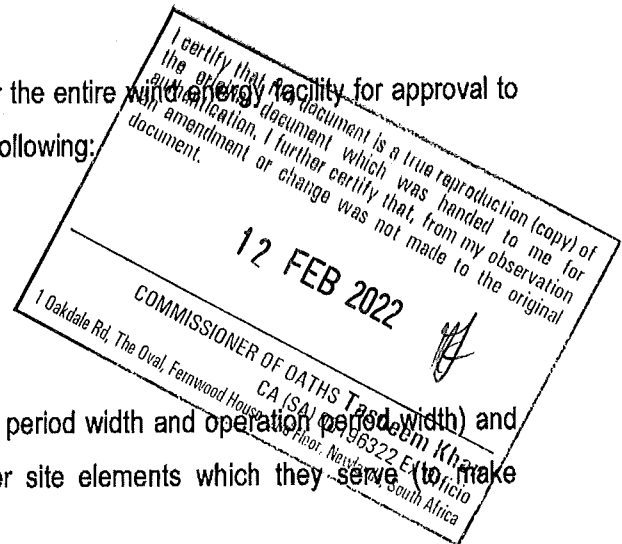


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- 5.3.5 Include copies of any approvals granted by other authorities relevant to the development for the reporting period; and
- 5.3.6 Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed.
- 5.4 The audit report must be submitted prior to commencement of the operation phase of the project.

6. Commencement of the activity

- 6.1 The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
- 6.2 An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
- 6.3 The applicant must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource. A copy of the license must be submitted to the *Director: Environmental Impact Evaluation* at the Department.
- 6.4 The applicant must submit a final layout plan for the entire wind energy facility for approval to the department. The layout should indicated the following:
- Turbine positions;
 - Foundation footprint;
 - Permanent laydown area footprint;
 - Construction period laydown footprint;
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
 - Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - Heritage sites that will be affected by the turbines and associated infrastructure;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Cable routes and trench dimensions (where they are not along internal roads);



- Connection routes to the distribution/transmission network;
 - Cut and fill areas at turbine sites along roads and at substation/transformer sites indicating the expected volume of each cut and fill;
 - Borrow pits;
 - Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - Buildings including accommodation; and
 - All "no-go" areas.
- 6.5 The applicant must appoint a qualified botanical and fauna specialist to ground-truth every turbine footprint and their recommendation must form part of the final layout of the Wind Energy Facility and EMP to be submitted to the department for approval.

7. Notification to authorities

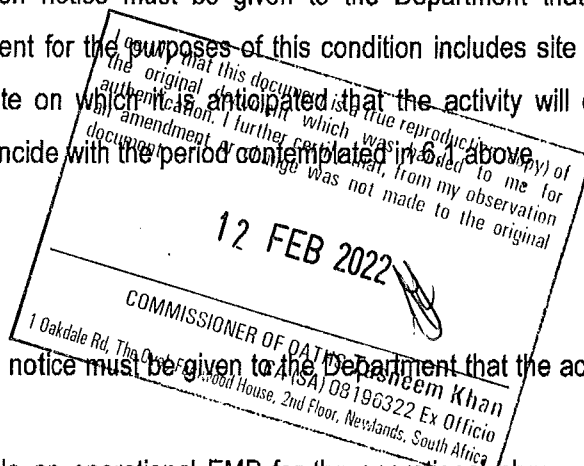
- 7.1 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence. This notification period may coincide with the period contemplated in 6.1 above.

8. Operation of the activity


- 8.1 Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.
- 8.2 The applicant must compile an operational EMP for the operational phase of the activity or alternatively, if the applicant has an existing operational environmental management system, it must be amended to include the operation of the authorised activity.

9. Site closure and decommissioning

- 9.1 Should the activity ever cease or become redundant, the applicant 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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10. Specific conditions

10.1 Avifauna and bats

- 10.1.1 A bird and bat monitoring programme must be implemented to document the effect of the operation of the wind energy facility on avifauna and bats. This should commence prior to construction, and continue during operation of the wind energy facility.
- 10.1.2 The results of the pre-construction bird monitoring programme must inform the final layout and the construction schedule of the wind energy facility.
- 10.1.3 Reports regarding bird monitoring must be submitted to the relevant provincial environmental department, Birdlife South Africa, the Endangered Wildlife Trust (EWT) and this Department on a quarterly basis. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country.
- 10.1.4 The baseline data collected and documented during the survey must be shared with the EWT and Birdlife South Africa for a better understanding of the distribution or breeding behaviour of any of the priority species.
- 10.1.5 Habitat destruction must be kept to an absolute minimum by keeping the lay-down areas as small as possible, reducing the number and size/length of roads and reducing the final extent of the developed area.
- 10.1.6 Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged. Flappers must be fitted in place so that they do not drift along the line and be readily and cost effectively installed on, or removed from the existing lines.
- 10.1.7 The applicant must ensure that lighting on the turbines is kept to a minimum and is coloured (red or green) and intermittent, rather than permanent and white, to reduce confusion effects for nocturnal migrants.
- 10.1.8 The facility must be designed to discourage their use as perching or roosting substrates by birds and bats.

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10.2 Vegetation, wetlands and water resources

- 10.2.1 All species of special concern (SSC) must be identified and every effort must be made to rescue them.
- 10.2.2 Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
- 10.2.3 Critical available biodiversity information must be consulted for the final placement of turbines and infrastructure.
- 10.2.4 The applicant must ensure that the continuous monitoring and removal of alien plant species is undertaken. An alien removal program must be developed and implemented.
- 10.2.5 A "Plant Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be compiled by a vegetation specialist familiar with the site in consultation with the ECO. This plan must be implemented prior to commencement of the construction phase.
- 10.2.6 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 submitted to the Department for record keeping.
- 10.2.7 Construction activities must be restricted to demarcated areas to restrict impact on vegetation and animals.
- 10.2.8 A comprehensive habitat rehabilitation plan must be developed for the site. 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.
- 10.2.9 All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities should be undertaken as early as possible on disturbed areas.
- 10.2.10 All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
- 10.2.11 Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
- 10.2.12 The applicant is required to inform the relevant provincial department and/or this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.

- 10.2.13 All hard infrastructures should be located within existing areas of low sensitivity, as far as possible.
- 10.2.14 All turbines must be located at least 100m from the edge of any highly sensitive areas.
- 10.2.15 No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
- 10.2.16 No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs.
- 10.2.17 Appropriate erosion mitigation must be implemented to prevent any potential erosion.
- 10.2.18 Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
- 10.2.19 Removal of alien invasive species or other vegetation must be in accordance with the Conservation of Agricultural Resources Act (Act 43 of 1983), and follow-up procedures for the duration of the project.
- 10.2.20 The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
- 10.2.21 Contractors and construction workers must be clearly informed of the no-go areas.
- 10.2.22 Siting of turbines should adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
- 10.2.23 Where roads pass right next to major water bodies provision should be made for fauna such as toads to pass under the roads by using culverts or similar.
- 10.2.24 Bridge design must be such that it minimise impact to the riparian areas with minimal alterations to water flow and must be permeable to movement of fauna and flora.

10.3 Roads and transportation

- 10.3.1 Existing road infrastructure must be used as far as possible for providing access to 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.
- 10.3.2 A transportation plan must be developed, particularly for the transport of turbine components, main assembly cranes and other large pieces of equipment. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites.

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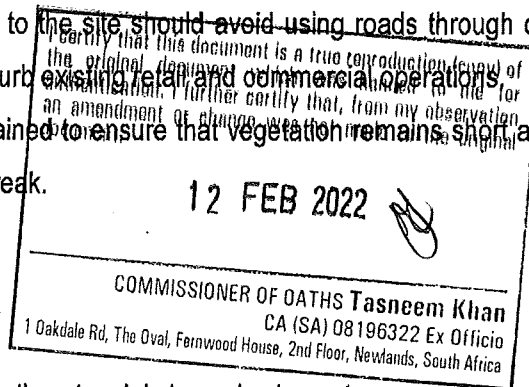
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- 10.3.3 A traffic management plan must be prepared for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted.
- 10.3.4 Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
- 10.3.5 Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
- 10.3.6 Internal access roads must be located away from drainage bottoms and avoid wetlands, if feasible.
- 10.3.7 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.
- 10.3.8 Existing drainage must not be altered, especially in sensitive areas.
- 10.3.9 A designated access to the site must be created and clearly marked to ensure safe entry and exit.
- 10.3.10 Signage must be erected at appropriate points warning of turning traffic and the construction site.
- 10.3.11 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.
- 10.3.12 Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

10.4 Noise

- 10.4.1 Construction staff to be given training in actions to minimise noise impacts.
- 10.4.2 Noise from the turbines at the identified noise sensitive areas must be less than the 45dB(A) limit for rural areas presented in SANS10103.
- 10.4.3 The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.
- 10.4.4 The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.



- 10.4.5 The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
- 10.4.6 The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
- 10.4.7 All construction operations should only occur during daylight hours if possible.
- 10.4.8 All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45 dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors; such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.
- 10.4.9 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 45 dB(A).

10.5 Visual resources

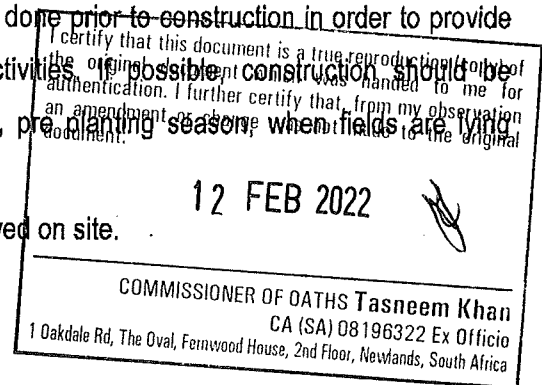
- 10.5.1 The applicant must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
- 10.5.2 A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.
- 10.5.3 Signs near wind turbines should be avoided unless they serve to inform the public about wind turbines and their function.
- 10.5.4 Commercial messages and graffiti on turbines must be avoided.
- 10.5.5 The applicant must ensure that the painting of the wind turbines are in accordance with the Aviation Act, 1962, Thirteenth Amendment of the Civil Aviation Regulations, 1997.
- 10.5.6 Laydown areas and stockyards should be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.
- 10.5.7 Night lighting of the construction sites should be minimised within the requirements of safety and efficiency.

10.6 Human health and safety

- 10.6.1 A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the wind 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.

- 10.6.2 Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
- 10.6.3 The applicant must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and should comply with the relevant communication regulations.
- 10.6.4 The applicant must obtain a written permit or 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. The approval/permit must be submitted to the Director: Environmental Impact Evaluation.
- 10.6.5 The applicant 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.
- 10.6.6 Liaison with land owners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities. ~~If possible construction should be scheduled to take place within the post-harvest, pre-planting season when fields are lying fallow.~~
- 10.6.7 No open fires for cooking or heating must be allowed on site.



10.7 Hazardous materials and waste management

- 10.7.1 Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
- 10.7.2 Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
- 10.7.3 Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.
- 10.7.4 An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary

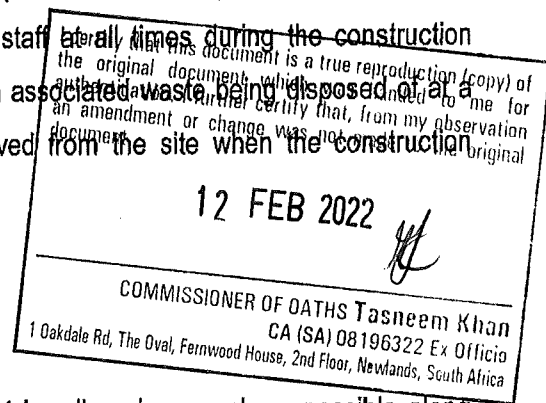
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measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or stormwater system.

- 10.7.5 Streams, river, pans, wetlands, dams and their catchments and other environmental sensitive areas must be protected from the direct or indirect spillage of pollutants.
- 10.7.6 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.
- 10.7.7 Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
- 10.7.8 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 350 m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
- 10.7.9 Temporary bunds must be constructed around chemical storage to contain possible spills.
- 10.7.10 Spill kits must be made available on-site for the clean-up of spills.
- 10.7.11 An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008).
- 10.7.12 Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permited waste site and must be removed from the site when the construction phase is completed.

10.8 Excavation and blasting activities

- 10.8.1 Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
- 10.8.2 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.
- 10.8.3 Borrow materials must be obtained only from authorized and permitted sites.
- 10.8.4 Anti-erosion measures such as silt fences must be installed in disturbed areas.



10.9 Air emissions

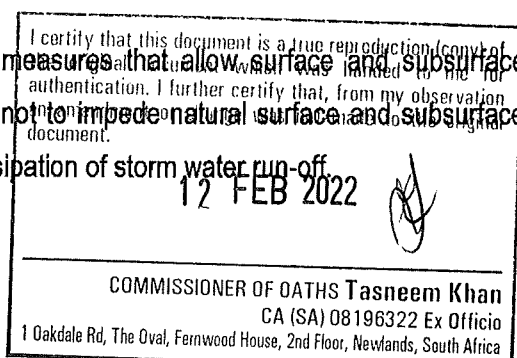
- 10.9.1 Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
- 10.9.2 Appropriate dust suppression techniques must be implemented on all exposed surfaces during periods of high wind. Such measures may include wet suppression, chemical stabilisation,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

10.10 Historical / cultural / paleontological resources

- 10.10.1 If there are any changes to the layout of the turbines, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation permit.
- 10.10.2 Should any graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.

10.11 Storm water management

- 10.11.1 A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion. The comprehensive storm water management plan should form part of the EMP.
- 10.11.2 Construction must include 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.



10.12 Turbines position

- 10.12.1 Turbines must be positioned in such a way that they are at least 500m away from residences or farm buildings.
- 10.12.2 Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.
- 10.12.3 Wind turbines and its associated laydown areas and access roads, which could potentially impact on sensitive areas, must be shifted in order to avoid these areas of high sensitivity.

10.13 Overhead power line

10.13.1 A walk-through survey of the final survey power line corridor must be undertaken by a botanical specialist, an ornithologist and a heritage specialist to identify areas where mitigation may be required.

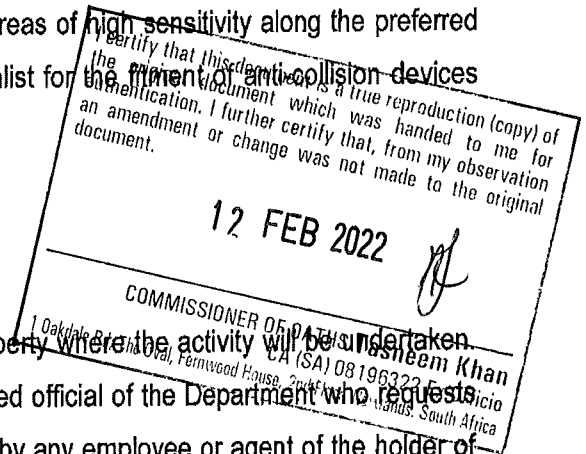
10.13.2 All sections of the proposed power line passing over, or in close proximity of grasslands, rivers, wetlands, and dams must be marked with suitable bird flight diverters in order to deter large birds from colliding with any powerline. Additional areas of high sensitivity along the preferred alignment must be identified by an avifaunal specialist for the fitting of anti-collision devices according to Eskom Transmission Guidelines.

11. General

11.1 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation 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 works or undertakes work at the property.

11.2 Where any of the applicant's contact details change, including the name of the responsible person where the applicant is a juristic person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.

11.3 The holder of the authorisation must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. 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 regulations.



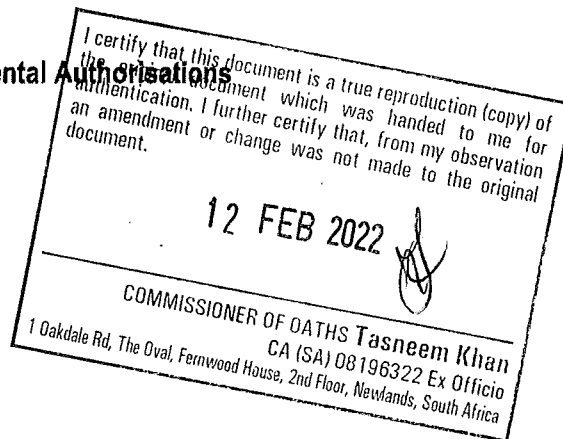
11.4 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction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

Date of environmental authorisation: 28 August 2012


Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Re-issue:



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 information contained in the EIR dated May 2012;
- b) The comments received from SAHRA and interested and affected parties as included in the EIR dated May 2012;
- c) Mitigation measures as proposed in the EIR dated May 2012 and the EMP;
- d) The information contained in the specialist studies contained in the EIR dated May 2012; and
- e) The objectives and requirements of relevant legislation, policies and guidelines including section 2 of the National Environmental Management Act, 1998 (Act No. 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 EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- b) The findings of all the Specialist studies conducted and their recommended mitigation measures.
- c) The need for the proposed project stems from the need for clean and renewable energy sources to reduce the country's energy supply problems.
- d) The EIR dated May 2012 included a 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.
- e) The EIR dated May 2012 identified all legislation and guidelines that have been considered in the preparation of the EIR dated May 2012.
- f) The methodology used in assessing the potential impacts identified in the EIR dated November 2010 and the specialist studies have been adequately indicated.

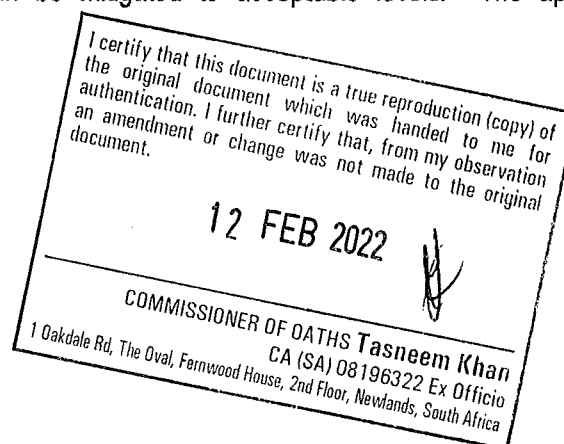
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.

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 EIR dated May 2012 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) All legal and procedural requirements have been met.
- e) The information contained in the EIR dated May 2012 is accurate and credible.
- f) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIR and will be implemented to manage the identified environmental impacts during the construction process.

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 application is accordingly granted.





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

NEAS Reference: DEAT/EIA/12376/2011

DEA Reference: 12/12/20/1754/4

Enquiries: Linda Poll-Jonker

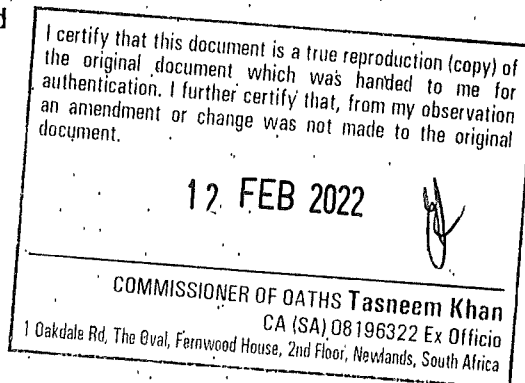
Telephone: 012-395-1767 Fax: 012-320-7539 E-mail: lpoll-jonker@environment.gov.za

Mr. Peter Venn
Windlab Developments South Africa (Pty) Ltd
Green Building
9B Bell Crescent Close
WEST LAKE
7945

Fax no: 0800 981 222

PER FACSIMILE / MAIL

Dear Mr. Venn



AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION: AMAKHALA EMOYENI RE PROJECT 1 WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, EASTERN CAPE PROVINCE

The application dated January 2010, the amended Environmental Authorisation dated 12 December 2011 and the amendment application dated 22 May 2012, have reference.

With reference to the above application, please be advised that the Department, in terms of Regulation 42 of Environmental Impact Assessment Regulations, 2010, has decided to issue an amended environmental authorisation (EA), as requested in your amendment application dated 15 May 2012. The amended EA is attached herewith. The previous EA issued on 2 September 2011 is hereby replaced by the attached amended environmental authorisation as from the date of signature of this letter.

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 Department's decision in respect of the amendment made 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:

By facsimile: 012 320 7561;

By post: Private Bag X447,
Pretoria, 0001; or
By hand: 2nd Floor, Fedsure Building, North Tower,
Cnr. Lillian Ngoyi (Van der Walt) and Pretorius Streets,
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.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

Mr T Zwane, Senior Legal Administration Officer (Appeals), of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929
Email: twane@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.


Yours sincerely



Mr Mark Gordon
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 28 August 2012

CC:	Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Tel: 011-234-6621	Fax: 086-684-0547
	Mr John von Mayer	Savannah Environmental (Pty) Ltd	Tel: 011-234-6621	Fax: 086-684-0547
	Mr Andries Struwig	Eastern Cape DEDEA	Tel: 043-707-4000	Fax: 043-748-2089
	Mr D Claasen	Blue Crane Route Local Municipality	Tel: 042-243-1333	Fax: 042-243-1528
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

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COMMISSIONER OF OATHS Tasneem Khan
CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

2

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 Water and 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 Water and 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: <ul style="list-style-type: none"> 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, <ul style="list-style-type: none"> 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 against a decision must be lodged with:-

- the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;

2. An appeal lodged with:-

- the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
- the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

3. An appeal must be:-

- submitted in writing;
- 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

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 37 of the Environmental Impact Assessment Regulations, 2006

Amakhala Emoyeni Phase 4 Wind Energy Facility and associated infrastructure, Eastern Cape Province

Cacadu District Municipality

Authorisation register number:	12/12/20/1754/4
NEAS reference number:	DEA/NEAS/00012376/2011
Last amended:	Second Issue.
Holder of authorisation:	Windlab Developments South Africa (Pty) Ltd
Location of activity:	EASTERN CAPE PROVINCE: Between Cookhouse and Bedford within the Blue Crane Route Local Municipality

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.



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.

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, 2006 the Department hereby authorises –

WINDLAB DEVELOPMENTS SOUTH AFRICA (PTY) LTD

with the following contact details –

Mr. Peter Venn

Windlab Developments South Africa (Pty) Ltd

Green Building

9B Bell Crescent Close

WEST LAKE

7945

Tel: (021) 701 1292

Fax: (0800) 981 222

Cell: (082) 689 5442

E-mail: francis.jackson@windlabsystems.com

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to undertake the following activities (hereafter referred to as "the activity"):

Listed activities	Activity/Project description
<p><u>GN R. 386 Item 1(m):</u> The construction of facilities or infrastructure, including associated structures or infrastructure for any purpose in the one in ten year flood line of a river or stream; within 32 meters from a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including (i) canals (ii) channels (iii) bridges (iv) dams and (v) weirs</p>	<p>Some of the construction activities will need to be done within 32 m of watercourses on site.</p>
<p><u>GN R. 386 Item 12:</u> The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004).</p>	<p>Some indigenous vegetation will need to be removed during construction of the project.</p>
<p><u>GN R. 386 Item 16(b):</u> The transformation of undeveloped, vacant or derelict land to residential mixed, retail, commercial, industrial, or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare</p>	<p>The total development footprint will be approximately 27 200 ha for the industrial activity of electricity generation.</p>
<p><u>GN R. 386 Item 7:</u> The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30m³ but less than 1000 m³ at any one location or site.</p>	<p>The storage of fuels and lubricants during the construction phase of the activity will be necessary.</p>
<p><u>GN R. 387 Item 1(a):</u> The construction of facilities or infrastructure, including associated structures or infrastructure for the generation of electricity where (i) the electricity output is 20 megawatts or more; or (ii) the elements of the facility cover a combined area in excess of 1 hectare</p>	<p>The different Phases of the project will generate a maximum of 405.6MW.</p>

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 CA (SA) 00106322 E. Office



Listed activities	Activity/Project description
<p><u>GN R. 387 Item 1(l):</u> The construction of facilities or infrastructure, including associated structures or infrastructure for the transmission and distribution of above ground electricity with a capacity of 120 kilovolts or more.</p>	<p>New sections of 132kV overhead power line and one new section of 33/132/220/440kV power line feeding into the Poseidon Substation will be constructed.</p>
<p><u>GN R. 387 Item 2:</u> Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.</p>	<p>The total development footprint will be approximately 27 200 ha.</p>

as described in the Environmental Impact Report (EIR) dated May 2012 at:

Site	Latitude	Longitude
Amakhala Emoyeni Phase 4 (Center point)	32° 54' 59" S	26° 09' 04" E

- for the establishment of the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure located on the following farms: Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fonteyn 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province hereafter referred to as the property.

The infrastructure associated with this facility includes:

- Up to 40 wind turbines to the capacity of 84MW;
- Foundations (20x 20x 2m) to support the turbine towers;
- Underground cables (where practical) between the turbines;
- Internal access roads to each turbine (4-6m wide during construction, reduced to 3-4 m wide during operation);
- One (1) new sections of 132kV overhead power lines and one new section of 33/132/220/400kV power line feeding into the Poseidon Substation; and
- Possible on-site maintenance facility and visitor centre.

No substation will be built on the property but infrastructure (Substation 3) will be shared with Amakhala Emoyeni Phase 2.

I certify that this document is a true and correct copy of the document which was handed to me for authentication. I further certify that the property document or change was not made to the original document.

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 1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

Conditions

1. Scope of authorisation

The site for the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure on Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn, Rem of Brak-Pfontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved.

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.

The holder of the authorisation shall be 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.

- 1.4 The activities authorised may only be carried out at the properties as described above.
- 1.5 The recommendations and mitigation measures recorded in the EIR dated November 2010 must be adhered to.
- 1.6 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.
- 1.7 This activity must commence within a period of three (3) years from the date of issue. 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.
- 1.8 Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
- 1.9 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

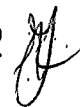
1.10 Relevant legislation that must be complied with by the holder of this authorisation includes, *inter alia*:

- Archaeological remains, artificial features and structures older than 60 years are protected by National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately. A registered Heritage Specialist must be called to the site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the site and the relevant heritage resource agency must be informed about the finding. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from the South African Heritage Resources Agency and/or any of their delegated provincial agencies.
- Relevant provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- Relevant provisions of the National Water Act, 1998 (Act No. 36 of 1998).
- Relevant provisions of the National Forests Act, 1998 (Act No. 84 of 1998).
- Relevant provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
- Relevant provisions of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) and its Regulations.
- Relevant provisions of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and its Regulations.
- Relevant provisions of the Hazardous Substance Act (Act No. 15 of 1973).
- Relevant Provisions of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).
- Relevant provisions of the Civil Aviation Act, 2009 (Act No. 13 of 2009).
- Should fill material be required for any purpose, the use of borrow pits must comply with the provisions of the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Mineral Resources.

1.11 The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

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2. Notification of authorisation

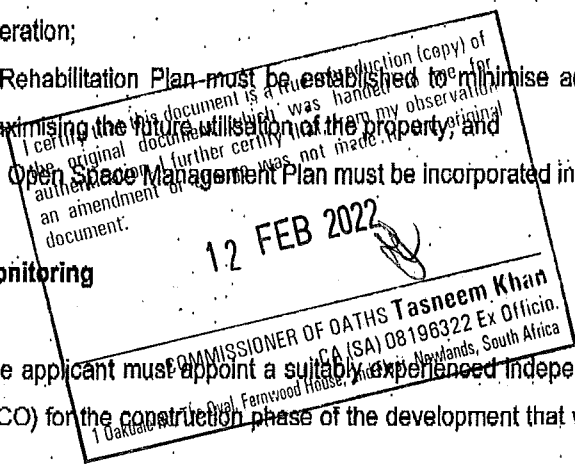
- 2.1 The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
- 2.2 The notification referred to must –
- 2.2.1 specify the date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

3. Management of the activity

- 3.1 The Environmental Management Plan (EMP) submitted as part of application for environmental authorisation must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the EIR dated November 2010 must be incorporated as part of the EMP. Once approved, the EMP must be implemented and adhered to. The amended EMP must also include the following:
- 3.1.1 Comprehensive rescue and storage in a suitable constructed nursery and storage area of plants deemed to be requiring either rescue for replanting and plants that will be useful during rehabilitation;
- 3.1.2 Detailed Revegetation and Rehabilitation Plan to be conducted during construction and operation;
- 3.1.3 A Rehabilitation Plan must be established to minimise adverse environmental impacts whilst maximising the future utilisation of the property, and
- 3.1.4 An Open Space Management Plan must be incorporated in the EMP.

4. Monitoring

- 4.1 The applicant must appoint a suitably experienced Independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure



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that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.

- 4.2 The ECO shall be appointed before commencement of any authorised activity.
- 4.3 Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 4.4 The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 4.5 A detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register must be kept 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.
- 4.6 In addition the ECO must maintain the following on site:
 - 4.6.1 A daily site diary.
 - 4.6.2 Copies of all reports submitted to the Department.
 - 4.6.3 A schedule of current site activities including the monitoring of such activities.
- 4.7 The ECO shall remain employed until all rehabilitation measures as required for implementation due to construction damage, are completed and the site is ready for operation.
- 4.8 Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

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5. Recording and reporting to the Department

- 5.1 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 the Department.
- 5.2 The holder of the authorisation must submit an environmental audit report to this Department upon completion of the construction and rehabilitation activities.
- 5.3 The environmental audit report must:
 - 5.3.1 Be conducted by an independent environmental auditor;
 - 5.3.2 Indicate the date of the audit, the name of the auditor and the outcome of the audit;
 - 5.3.3 Evaluate compliance with the requirements of the approved EMP and this environmental authorisation;
 - 5.3.4 Include measures to be implemented to attend to any non-compliances or degradation noted;



- 5.3.5 Include copies of any approvals granted by other authorities relevant to the development for the reporting period; and
- 5.3.6 Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed.
- 5.4 The audit report must be submitted prior to commencement of the operation phase of the project.

6. Commencement of the activity

- 6.1 The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
- 6.2 An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
- 6.3 The applicant must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource. A copy of the license must be submitted to the *Director: Environmental Impact Evaluation* at the Department.

- 6.4 The applicant must submit a final layout plan for the entire wind energy facility for approval to the department. The layout should indicate the following:

- Turbine positions;
- Foundation footprint;
- Permanent laydown area footprint;
- Construction period laydown footprint;
- Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
- Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
- Heritage sites that will be affected by the turbines and associated infrastructure;
- Substation(s) and/or transformer(s) sites including their entire footprint;
- Cable routes and trench dimensions (where they are not along internal roads);

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- Connection routes to the distribution/transmission network;
- Cut and fill areas at turbine sites along roads and at substation/transformer sites indicating the expected volume of each cut and fill;
- Borrow pits;
- Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
- Buildings including accommodation; and
- All "no-go" areas.

6.5 The applicant must appoint a qualified botanical and fauna specialist to ground-truth every turbine footprint and their recommendation must form part of the final layout of the Wind Energy Facility and EMP to be submitted to the department for approval.

7. Notification to authorities

7.1 Fourteen (14) days written notice must be given to the Department that the activity will commence. 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 period contemplated in 6.1 above.

8. Operation of the activity

8.1 Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

8.2 The applicant must compile an operational EMP for the operational phase of the activity or alternatively, if the applicant has an existing operational environmental management system, it must be amended to include the operation of the authorised activity.

9. Site closure and decommissioning

9.1 Should the activity ever cease or become redundant, the applicant 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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10. Specific conditions

10.1 Avifauna and bats

- 10.1.1 A bird and bat monitoring programme must be implemented to document the effect of the operation of the wind energy facility on avifauna and bats. This should commence prior to construction, and continue during operation of the wind energy facility.
- 10.1.2 The results of the pre-construction bird monitoring programme must inform the final layout and the construction schedule of the wind energy facility.
- 10.1.3 Reports regarding bird monitoring must be submitted to the relevant provincial environmental department, Birdlife South Africa, the Endangered Wildlife Trust (EWT) and this Department on a quarterly basis. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country.
- 10.1.4 The baseline data collected and documented during the survey must be shared with the EWT and Birdlife South Africa for a better understanding of the distribution or breeding behaviour of any of the priority species.
- 10.1.5 Habitat destruction must be kept to an absolute minimum by keeping the lay-down areas as small as possible, reducing the number and size/length of roads and reducing the final extent of the developed area.
- 10.1.6 Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged. Flappers must be fitted in place so that they do not drift along the line and be readily and cost effectively installed on, or removed from the existing lines.
- 10.1.7 The applicant must ensure that lighting on the turbines is kept to a minimum and is coloured (red or green) and intermittent, rather than permanent and white, to reduce confusion effects for nocturnal migrants.
- 10.1.8 The facility must be designed to discourage their use as perching or roosting substrates by birds and bats.

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10.2 Vegetation, wetlands and water resources

- 10.2.1 All species of special concern (SSC) must be identified and every effort must be made to rescue them.
- 10.2.2 Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
- 10.2.3 Critical available biodiversity information must be consulted for the final placement of turbines and infrastructure.
- 10.2.4 The applicant must ensure that the continuous monitoring and removal of alien plant species is undertaken. An alien removal program must be developed and implemented.
- 10.2.5 A "Plant Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be compiled by a vegetation specialist familiar with the site in consultation with the ECO. This plan must be implemented prior to commencement of the construction phase.
- 10.2.6 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 submitted to the Department for record keeping.
- 10.2.7 Construction activities must be restricted to demarcated areas to restrict impact on vegetation and animals.
- 10.2.8 A comprehensive habitat rehabilitation plan must be developed for the site. 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 of natural habitats.
- 10.2.9 All areas of disturbed soil must be reclaimed using only indigenous grasses and shrubs. Reclamation activities should be undertaken as early as possible on disturbed areas.
- 10.2.10 All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
- 10.2.11 Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
- 10.2.12 The applicant is required to inform the relevant provincial department and/or this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.

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- 10.2.13 All hard infrastructures should be located within existing areas of low sensitivity, as far as possible.
- 10.2.14 All turbines must be located at least 100m from the edge of any highly sensitive areas.
- 10.2.15 No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
- 10.2.16 No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs.
- 10.2.17 Appropriate erosion mitigation must be implemented to prevent any potential erosion.
- 10.2.18 Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
- 10.2.19 Removal of alien invasive species or other vegetation must be in accordance with the Conservation of Agricultural Resources Act (Act 43 of 1983), and follow-up procedures for the duration of the project.
- 10.2.20 The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
- 10.2.21 Contractors and construction workers must be clearly informed of the no-go areas.
- 10.2.22 Siting of turbines should adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
- 10.2.23 Where roads pass right next to major water bodies provision should be made for fauna such as toads to pass under the roads by using culverts or similar.
- 10.2.24 Bridge design must be such that it will have minimal impact to the riparian areas with minimal alterations to water flow and must be permeable to movement of fauna and flora.
- 10.3 Roads and transportation**
- 10.3.1 Existing road infrastructure must be used as far as possible for providing access to 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.
- 10.3.2 A transportation plan must be developed, particularly for the transport of turbine components, main assembly cranes and other large pieces of equipment. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites.

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- 10.3.3 A traffic management plan must be prepared for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted.
- 10.3.4 Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
- 10.3.5 Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
- 10.3.6 Internal access roads must be located away from drainage bottoms and avoid wetlands, if feasible.
- 10.3.7 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.
- 10.3.8 Existing drainage must not be altered, especially in sensitive areas.
- 10.3.9 A designated access to the site must be created and clearly marked to ensure safe entry and exit.
- 10.3.10 Signage must be erected at appropriate points warning of turning traffic and the construction site.
- 10.3.11 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.
- 10.3.12 Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

10.4 Noise

- 10.4.1 Construction staff to be given training in actions to minimise noise impacts.
- 10.4.2 Noise from the turbines at the identified noise sensitive areas must be less than the 45dB(A) limit for rural areas presented in SANS10103.
- 10.4.3 The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.
- 10.4.4 The applicant 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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- 10.4.5 The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
- 10.4.6 The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
- 10.4.7 All construction operations should only occur during daylight hours if possible.
- 10.4.8 All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45 dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors, such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.
- 10.4.9 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 45 dB(A).

10.5 Visual resources

- 10.5.1 The applicant 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.
- 10.5.2 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.
- 10.5.3 Signs near wind turbines should be avoided unless they serve to inform the public about wind turbines and their function.
- 10.5.4 Commercial messages and graffiti on turbines must be avoided.
- 10.5.5 The applicant must ensure that the painting of the wind turbines are in accordance with the Aviation Act, 1962, Thirteenth Amendment of the Civil Aviation Regulations, 1997.
- 10.5.6 Laydown areas and stockyards should be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.
- 10.5.7 Night lighting of the construction sites should be minimised within the requirements of safety and efficiency.

10.6 Human health and safety

- 10.6.1 A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the wind energy facility. The

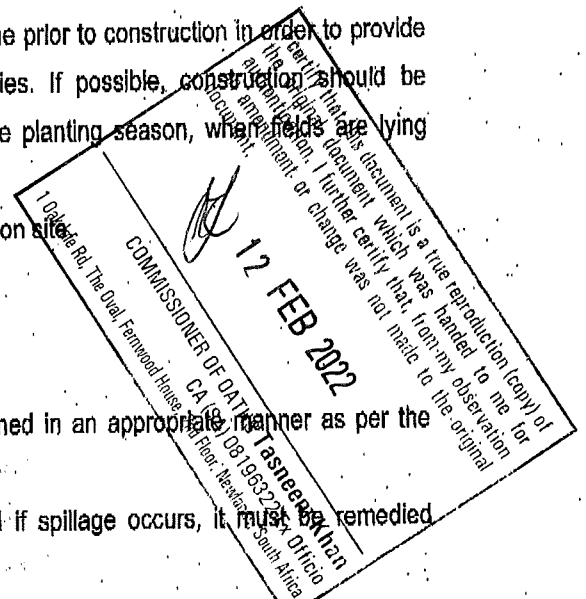
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- programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
- 10.6.2 Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
- 10.6.3 The applicant must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and should comply with the relevant communication regulations.
- 10.6.4 The applicant must obtain a written permit or 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. The approval/permit must be submitted to the Director: Environmental Impact Evaluation.
- 10.6.5 The applicant 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.
- 10.6.6 Liaison with land owners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction should be scheduled to take place within the post-harvest, pre planting season, when fields are lying fallow.
- 10.6.7 No open fires for cooking or heating must be allowed on site.
- 10.7 Hazardous materials and waste management**
- 10.7.1 Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
- 10.7.2 Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
- 10.7.3 Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.
- 10.7.4 An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary



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measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or stormwater system.

10.7.5 Streams, river, pans, wetlands, dams and their catchments and other environmental sensitive areas must be protected from the direct or indirect spillage of pollutants.

10.7.6 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.

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

10.7.8 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 350 m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.

10.7.9 Temporary bunds must be constructed around chemical storage to contain possible spills.

10.7.10 Spill kits must be made available on-site for the clean-up of spills.

10.7.11 An Integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008).

10.7.12 Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permited waste site and must be removed from the site when the construction phase is completed.

10.8 Excavation and blasting activities

10.8.1 Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.

10.8.2 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.

10.8.3 Borrow materials must be obtained only from authorized and permitted sites.

10.8.4 Anti-erosion measures such as silt fences must be installed in disturbed areas.

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10.9 Air emissions

- 10.9.1 Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
- 10.9.2 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.

10.10 Historical / cultural / paleontological resources

- 10.10.1 If there are any changes to the layout of the turbines, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation permit.
- 10.10.2 Should any graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.

10.11 Storm water management

- 10.11.1 A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion. The comprehensive storm water management plan should form part of the EMP.

- 10.11.2 Construction must include 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.

10.12 Turbines position

- 10.12.1 Turbines must be positioned in such a way that they are at least 500m away from residences or farm buildings.
- 10.12.2 Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.
- 10.12.3 Wind turbines and its associated laydown areas and access roads, which could potentially impact on sensitive areas, must be shifted in order to avoid these areas of high sensitivity.

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10.13 Overhead power line

10.13.1 A walk-through survey of the final survey power line corridor must be undertaken by a botanical specialist, an ornithologist and a heritage specialist to identify areas where mitigation may be required.

10.13.2 All sections of the proposed power line passing over, or in close proximity of grasslands, rivers, wetlands, and dams must be marked with suitable bird flight diverters in order to deter large birds from colliding with any powerline. Additional areas of high sensitivity along the preferred alignment must be identified by an avifaunal specialist for the fitment of anti-collision devices according to Eskom Transmission Guidelines.


11. General

11.1 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation 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 works or undertakes work at the property.

11.2 Where any of the applicant's contact details change, including the name of the responsible person where the applicant is a juristic person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.

11.3 The holder of the authorisation must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. 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 regulations.

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11.4 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 applicant or his 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 applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation:

28 August 2012



Mr Mark Gordon

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 information contained in the EIR dated May 2012;
- b) The comments received from SAHRA and interested and affected parties as included in the EIR dated May 2012;
- c) Mitigation measures as proposed in the EIR dated May 2012 and the EMP;
- d) The information contained in the specialist studies contained in the EIR dated May 2012; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 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 EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- b) The findings of all the Specialist studies conducted and their recommended mitigation measures.
- c) The need for the proposed project stems from the need for clean and renewable energy sources to reduce the country's energy supply problems.
- d) The EIR dated May 2012 included a 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.
- e) The EIR dated May 2012 identified all legislation and guidelines that have been considered in the preparation of the EIR dated May 2012.
- f) The methodology used in assessing the potential impacts identified in the EIR dated November 2010 and the specialist studies have been adequately indicated.

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12 FEB 2022

COMMISSIONER OF ENVIRONMENTAL AFFAIRS
Tasneem Khan
CA (SA) 08196322 Ex Officio
1 Oakdale Road, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

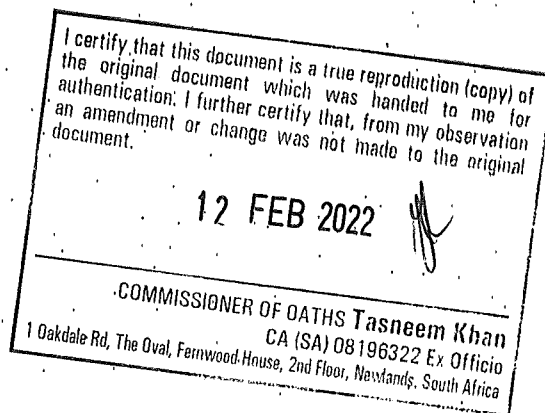
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.

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 EIR dated May 2012 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) All legal and procedural requirements have been met.
- e) The information contained in the EIR dated May 2012 is accurate and credible.
- f) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIR and will be implemented to manage the identified environmental impacts during the construction process.

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 application is accordingly granted.





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1754/4/AM3

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 E-mail: MEssop@environment.gov.za

Mr Peter Venn
Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Postnet Suite 216
Private Bag X26
TOKAI
7966

Telephone Number: (021) 701 1292
Email Address: peter.venn@windlab.com

I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that, from my observation an amendment or change was not made to the original document.

12 FEB 2022

COMMISSIONER OF OATHS **Tasneem Khan**
CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

PER EMAIL / MAIL

Dear Mr Venn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2012 FOR THE CONSTRUCTION OF THE IZIDULI EMOYENI WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE, CACADU DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 28 August 2012, your application for amendment to the EA received by this Department on 09 June 2015 and receipt thereof acknowledged on 18 June 2015 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 28 August 2012 as follows:

Amendment 1: Amendment to the holder of the EA

From:

"Windlab Developments South Africa (Pty) Ltd"

Mr Peter Venn
Green Building
9B Bell Crescent Close
WEST LAKE
7945

Telephone Number: (021) 701 1292
Fax Number: (0800) 981 222
Cell Number: (082) 689 5442
E-mail address: francis.jackson@windlabsystems.com

To:

"Emoyeni Wind Farm Renewable Energy (Pty) Ltd"

Mr Peter Venn
Postnet Suite 216
Private Bag X26
TOKAI
7966

Telephone Number: (021) 701 1292
Fax Number: (021) 702 4053
Cell Number: (082) 689 5442
E-mail address: peter.venn@windlab.com

Amendment 2: Amendment to the project name:

The title on Page 01 of the EA:

From:

"Amakhala Emoyeni Phase 4 Wind Energy Facility and associated infrastructure, Eastern Cape Province"

To:

"Iziduli Emoyeni Wind Energy Facility and associated infrastructure, Eastern Cape Province"

Page 04 of the EA:

From:

"Amakhala Emoyeni Phase 4 (Center point)"

To:

"Iziduli Emoyeni Wind Energy Facility (Center point)"

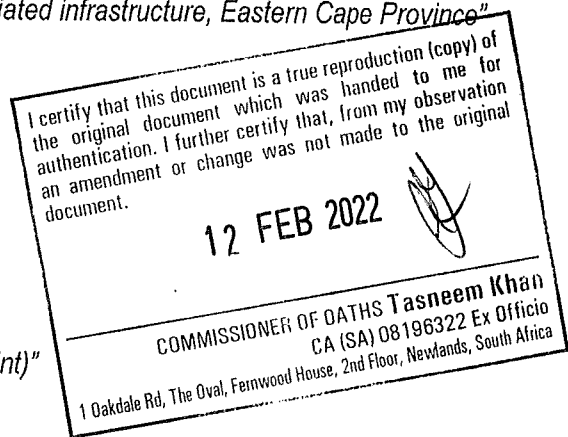
Page 04 of the EA:

From:

"- for the establishment of the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure located on the following farms: Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province, hereafter referred to as "the property"."

To:

"- for the establishment of the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure located on the following farms: Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province, hereafter referred to as "the property"."



Condition 1.1 of the EA:

From:

"The site for the Amakhala Emoyeni Phase 4 Wind Energy Facility and its associated infrastructure on Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved."

To:

"The site for the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure on Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fontein 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved."

Amendment 3: Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 28 August 2012 (i.e. the EA lapses on 28 August 2017). 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.

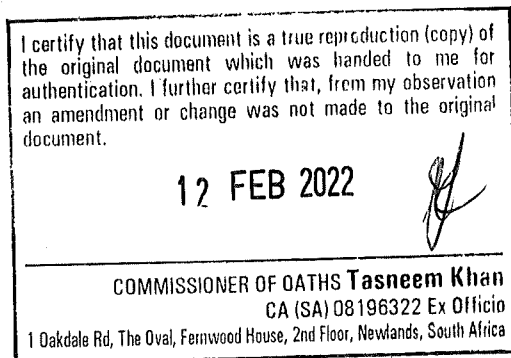
Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two (2) months from the date of this letter. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The 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
Arcadia
Pretoria



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

This proposed amendment letter must be read in conjunction with the EA dated 28 August 2012.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R. 993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the applicant by the competent authority.

By post: Private Bag X447,
Pretoria,
0001; or
By hand: Environment House
473 Steve Biko,
Arcadia, Pretoria,

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:

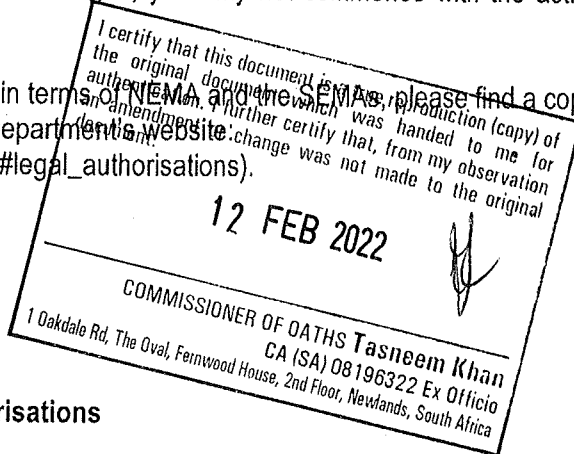
Tel: (012) 399 9356
Email: Appealsdirector@environment.gov.za

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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website (https://www.environment.gov.za/documents/forms#legal_authorisations).

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 2/02/2025



cc: Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahsa.com
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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1754/4/AM4

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 E-mail: MEssop@environment.gov.za

Mr Peter Venn
Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Postnet Suite 216
Private Bag X26
TOKAI
7966

Telephone Number: (021) 701 1292
Email Address: peter.venn@windlab.com

PER EMAIL / MAIL

Dear Mr Venn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2012 FOR THE CONSTRUCTION OF THE IZIDULI EMOYENI WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE, CACADU DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 28 August 2012, the amendment dated 02 July 2015; your application for amendment to the EA received by this Department on 28 September 2015; the acknowledgement letter dated 09 October 2015; and draft report received on 20 November 2015; the comments issued by this Department on 06 January 2016; and, the additional information received on 09 February 2016 refer.

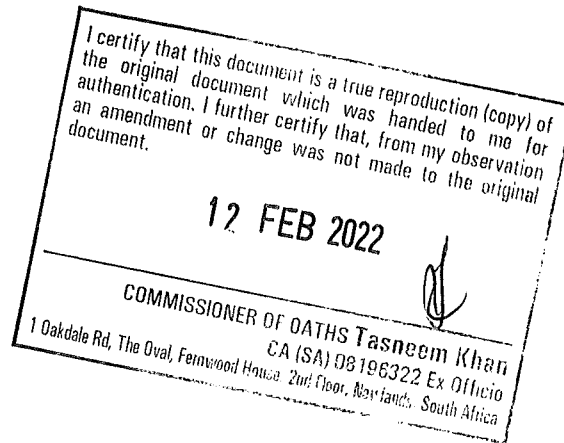
Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 28 August 2012 as amended as follows:

Amendment 1: Amendment to the property description of the EA:

Page 04 of the EA:

From:

"- for the establishment of the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure located on the following farms: Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fonteyn 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province, hereafter referred to as "the property"."



MS

To:

"- for the establishment of the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure located on the following farms: Remainder of Portion 1 of the Farm Brakke Fonteyn No 218, Portion 2 (a Portion of Portion 1) of Farm Brakke Fonteyn No 218, Remainder of the Farm Brakke Fonteyn No 218, Farm Vogel Fonteyn No 219 and Remainder of the Brak Fonteyn No 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province, hereafter referred to as "the property"."

Condition 1.1 of the EA:

From:

"The site for the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure on Portion 1, 2 and Rem of Farm 218 (Brakke Fonteyn), Rem of Vogel Fonteyn 219, Rem of Brak Fonteyn 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved."

To:

"The site for the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure on the Remainder of Portion 1 of the Farm Brakke Fonteyn No 218, Portion 2 (a Portion of Portion 1) of Farm Brakke Fonteyn No 218, Remainder of the Farm Brakke Fonteyn No 218, Farm Vogel Fonteyn No 219 and Remainder of the Brak Fonteyn No 220 between Cookhouse and Bedford within the Blue Crane Route Local Municipality in the Eastern Cape Province as indicated on the map attached in the EIR dated May 2012 is hereby approved."

Amendment 2: Amendment of turbine specifications in the EA:

The applicant wishes to amend the EA for the above mentioned project by amending the project description as follows:

- Reduce the number of turbine from 40 to 32;
- Increase the hub heights from 100m to 120m;
- Increase the rotor diameters from 120m to 140m;
- Increase the blade length from 60m to 70m; and
- The tip height of the turbines will be 190m.

I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that from my observation an amendment or change was not made to the original document.

12 FEB 2022

COMMISSIONER OF OATHS Tasneem Khan
CA (SA) 08196322 Ex Officio
Board of the Oath, Fernwood House, 2nd Floor, Newlands, South Africa

The following table is hereby included on page 04 of the EA and will replace the turbine specifications as outlined in the EA dated 28 August 2012 as amended:

Component	Description/ Dimensions
Hub height from ground level	120m
Rotor diameter	140m
Blade Length	70m
Tip Height	190m
Maximum of turbines	32 turbines
Generation capacity per turbine	Maximum of 3.5MW
Maximum Output of the Wind Energy Facility	84 MW

MS

It must be noted that whilst the applicant applied for a maximum range of parameters in the number of turbines, the hub height and rotor diameter, following a review of the motivation report provided and consultation with the specialist studies, this Department has decided to authorise the specifications as described in the table above.

This proposed amendment letter must be read in conjunction with the EA dated 28 August 2012 as amended.

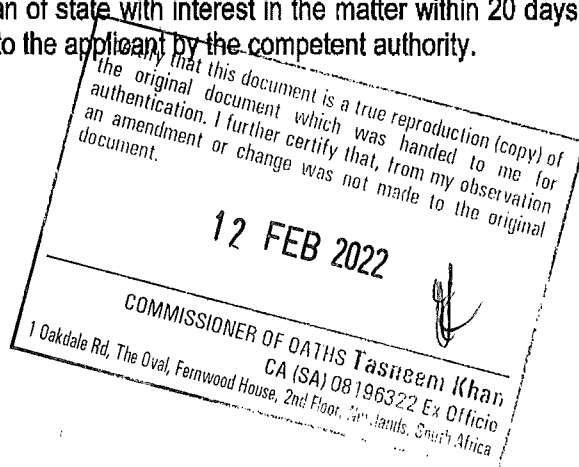
In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the applicant by the competent authority.

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

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



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

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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: (https://www.environment.gov.za/documents/forms#legal_authorisations).

Yours faithfully

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

Re-Issue Date: 10/10/2016

cc: Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: Karen@savannahsa.com
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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: 12/12/20/1754/4/AM5

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 E-mail: MEssop@environment.gov.za

Mr Peter Venn
Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Postnet Suite 216
Private Bag X26
TOKAI
7966

Telephone Number: (021) 701 1292
Email Address: peter.venn@windlab.com

PER E-MAIL / MAIL

Dear Mr Venn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2012 FOR THE CONSTRUCTION OF THE IZIDULI EMOYENI WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE, CACADU DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 28 August 2012, the amendments to the EA dated 02 July 2015 and 18 May 2016, and your application for amendment of the EA received by this Department on 12 September 2016 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 28 August 2012 as amended as follows:

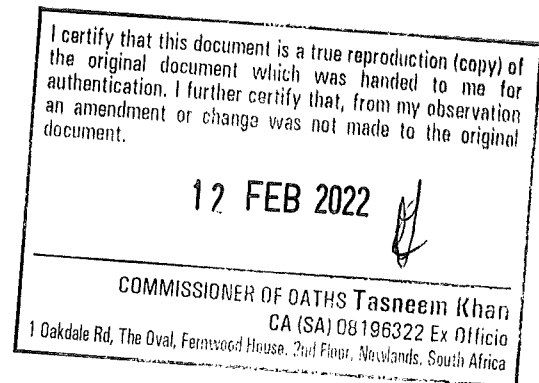
Amendment 1: Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 28 August 2012 (i.e. the EA lapses on 28 August 2019). 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.

The applicant applied to extend the validity period of the EA for a second time as the development was not awarded preferred bidder status in the DoE REIPPP. The applicant intends to bid this project in the DoE REIPPP future rounds.

This proposed amendment letter must be read in conjunction with the EA dated 28 August 2012 as amended.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

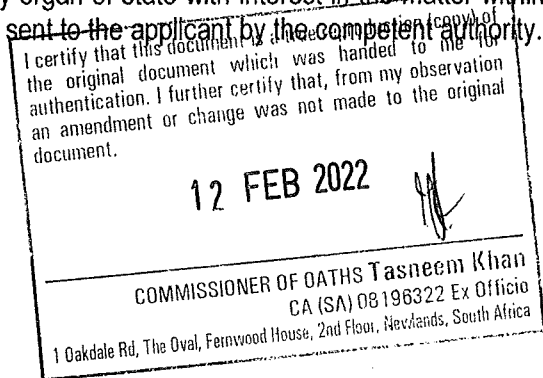


Your attention is drawn to Chapter 2 of Government Notice No. R. 993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the applicant by the competent authority.

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

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



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: Appealsdirector@environment.gov.za

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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: (https://www.environment.gov.za/documents/forms#legal_authorisations).

Yours faithfully

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

Date: 04/10/2016.

cc: Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannasa.com
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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 12/12/20/1754/4/AM6

Enquiries: Ms Constance Musemburi

Telephone: (012) 399 9416 E-mail: cmusemburi@environment.gov.za

Mr Peter Venn
Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Postnet Suite 216
Private Bag X26
TOKAI
7966

Telephone Number: (021) 701 1292
Email Address: peter.venn@windlab.com

PER EMAIL / MAIL

Dear Mr Venn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2012 FOR THE CONSTRUCTION OF THE IZIDULI EMOYENI WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE, EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 28 August 2012, the subsequent amendments issued by this Department, your application for amendment of the EA dated and received by the Department on 29 June 2018 and the final reports received by the Department on 12 September 2018 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended, has decided to amend the EA dated 12 August 2012, as amended, as follows:

Amendment 1: Extension of the validity period of the EA

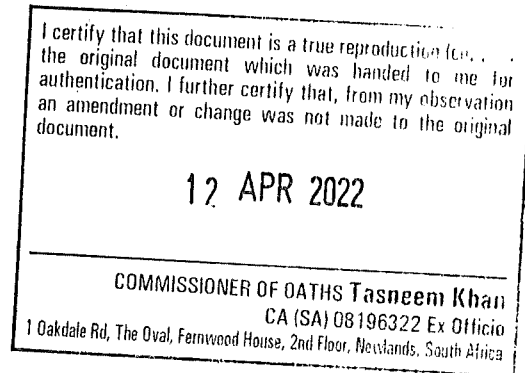
The activity must commence within a period of three (3) years from the date of expiry of the EA issued on 28 August 2012, as amended (i.e. commence by 28 August 2022). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

Amendment 2: Amendment to the project description of the EA:

The authorised number of turbines is proposed to decrease from 32 turbines to 30 turbines. The wording on page 04 of the EA is changed:

From
32 turbines

To
30 turbines



MS

Amendment 3: Amendment of the turbine specification

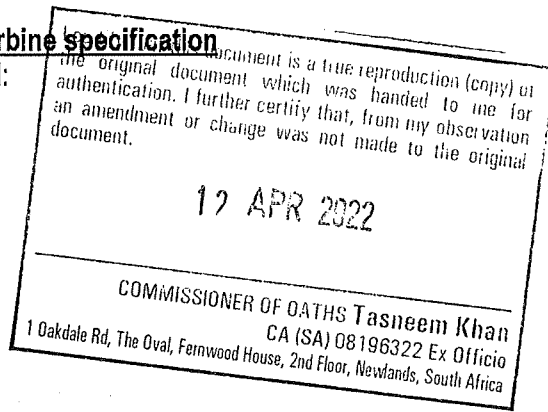
The turbine specifications are amended:

From

Hub height: 120m
Rotor Diameter: 140m
WTG rating: Maximum of 3.5MW

To

Hub height: up to 135m
Rotor diameter: up to 160m
WTG rating: Maximum of 5.4MW



The following table is hereby included on page 04 of the EA and will replace the turbine specifications as outlined in the EA dated 28 August 2012 as amended:

Component	Description/ Dimensions
Hub height from ground level	135m
Rotor diameter	160m
Blade Length	80m
Tip Height	215m
Maximum of turbines	30 turbines
Generation capacity per turbine	Maximum of 5.4MW

Reasons for the amendment

The increase in turbine specifications is required to cater for the improved technology available to suit the wind resource site and to allow the applicant to consider a broader range of manufactures and wind turbine models which can enhance both environmental, technical and financial feasibility of the project and avoid potential implementation delays. These changes in turbine specification will fall within the originally authorised footprint of the facility and does not trigger any new listed activities.

This letter must be read in conjunction with the EA dated 28 August 2012 as amended.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

Director: Appeals and Legal Review of this Department at the below mentioned addresses.
By email: appealsdirector@environment.gov.za;

MS

By hand: Environment House
473 Steve Biko Road,
ARCADIA,
Pretoria.

By post: Private Bag X447,
PRETORIA,
0001

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Kindly include a copy of this document with the letter of notification to interested and affected parties.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 15/11/2018

cc:	Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahsa.com
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I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that, from my observation an amendment or change was not made to the original document.

12 APR 2022

COMMISSIONER OF OATHS Tasneem Khan
CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood Estate, 2nd Floor, Newlands, South Africa



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 12/12/20/1754/4/AM7

Enquiries: Ms Winnie Tebogo Mabena

Tel: 012 399 9374 E-mail: wmabena@environment.gov.za

Mr Peter C Venn
Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Unit 3, Denmar Square
45 Bell Crescent Road
Westlake
CAPE TOWN
7945

Tel: 021 701 1292

E-mail: peter.venn@windlab.com

PER E-MAIL / MAIL

Dear Mr Venn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2012 FOR THE PROPOSED CONSTRUCTION OF THE IZIDULI EMOYENI WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 28 August 2012, the amendments to the EA dated 02 July 2015, 18 May 2016, 04 October 2016 and 15 November 2018, your application for amendment of the EA received by the Department on 10 May 2021 and the acknowledgement letter dated 18 May 2021, refer.

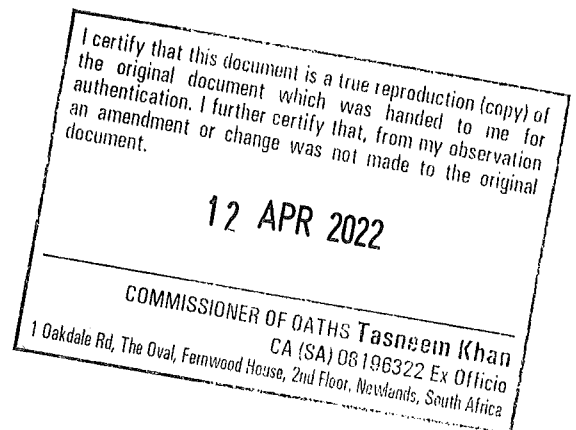
Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 28 August 2012 as amended, as follows:

The removal of the individual turbine output capacity specification from the Environmental Authorisation on Page 4 of the Environmental Authorisation:

From:

WTG Rating: Maximum of 5.4MW

Is hereby amended to:



M.S

The following table is hereby included on page 4 of the EA and will replace the turbine specifications outlines in the EA dated 28 August 2012 as amended:

Component	Description/Dimensions
Hub height from ground level	135m
Rotor diameter	160m
Blade length	80m
Tip height	215m
Maximum of turbines	29 Turbines

Reason for the requested amendment

Following developments in technology after the issuing of the original EA and considering technical and economic efficiency, the developer is proposing to install a turbine technology on the site which is best suited to the conditions on the site, which are currently being investigated and that will no longer have an individual output capacity of 5.4MW.

This proposed amendment letter must be read in conjunction with the EA dated 28 August 2012 as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

DFFE Reference: 12/12/20/1754/4/AM7

Project Title: Amendment of the Environmental Authorisation issued on 28 august 2012 for the proposed construction of the Izidull Emoyeni Wind Energy Facility and its associated infrastructure in the Eastern Cape Province

M.S

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;

I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that, from my observation an amendment or change was not made to the original document.

12 APR 2022

COMMISSIONER OF OATHS **Tasneem Khan**
CA (SA) 08198322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal 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.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal authorisations](https://www.environment.gov.za/documents/forms#legal%20authorisations) or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: *02/06/2021*

Cc:	Arlene Singh	Nala Environmental (Pty) Ltd	E-mail: arlene@veersgroup.com
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DFFE Reference: 12/12/20/1754/4/AM7

Project Title: Amendment of the Environmental Authorisation issued on 28 August 2012 for the proposed construction of the Iziduli Emoyeni Wind Energy Facility and its associated infrastructure in the Eastern Cape Province

MS



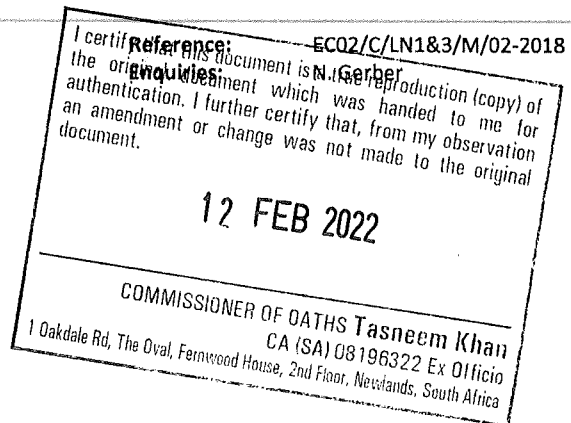
Corner Athol Fugard Terrace and Castle Hill, Central, Port Elizabeth 6001
Private Bag X5001, Greenacres, Port Elizabeth 6057 | Republic of South Africa

Tel: 041 508 5800 | Fax: 041 508 5865 | E-mail: Nicole.Gerber@dede.gov.za | www.dede.gov.za

Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Private Bag X26
Tokai
7966

Fax: 0800 981 222
Email: peter.venn@windlab.com

Attention: Mr Peter Venn



APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998, AS AMENDED TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED ACCESS ROADS AND WATERCOURSE CROSSINGS WITHIN THE AUTHORISED IZIDULI EMOYENI WIND ENERGY FACILITY, WITHIN THE BLUE CRANE ROUTE MUNICIPAL AREA.

With reference to the above-mentioned application (Reference number EC02/C/LN1&3/M/02-2018), please be advised that the Department has decided to grant Emoyeni Wind Farm Renewable Energy (Pty) Ltd authorisation. The Environmental Authorisation and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the Department's decision in respect of your application.

1. The written notification referred to above must -
 - 1.1 Specify the date on which the Environmental Authorisation was issued;
 - 1.2 Inform interested and affected parties of the appeal procedure provided for in terms of the National Appeal Regulations, 2014, as contained in GN R. 993 of 08 December 2014; and
 - 1.3 Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
2. Should you decide to appeal, you must submit your appeal to the appeal administrator, as indicated in the table contained in point 3 below, and serve a copy of the appeal to the applicant, if not the appellant, any registered interested and affected party and any organ of state with

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM

CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

interest in the matter within twenty (20) days as described in Regulation 4 of the National Appeal Regulations, 2014.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

- The address to which the **originals** of any such an appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO, 5605
Hand deliveries at:	Beacon Hill Hockley Close King William's Town 5601
In order to facilitate efficient administration of appeals <u>copies</u> of the appeal and any subsequent appeal documentation must also be submitted as follows:	
General Manager: Environmental Affairs per fax:	[043] 605 7300
Manager: Mr S. Gqalangile - Environmental Impact Management per fax:	[043] 605 7300
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

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CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa



**DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION**

DATE: 17/07/2018

Department of Economic Development
and Environmental Affairs
Private Bag X5001

2018 -07- 17

Greenacres, Port Elizabeth 6057



Corner Athol Fugard Terrace and Castle Hill, Central, Port Elizabeth 6001
Private Bag X5001, Greenacres, Port Elizabeth 6057 | Republic of South Africa

Tel: 041 508 5800 | Fax: 041 508 5865 | E-mail: Nicole.Gerber@dedea.gov.za | www.dedea.gov.za

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial Reference: ECO2/C/LN1&3/M/02-2018 NEAS Reference: ECP/EIA/0000484/2018																																				
LAST AMENDED	Not applicable																																				
HOLDER OF AUTHORISATION	Emoyeni Wind Farm Renewable Energy (Pty) Ltd																																				
LOCATION OF ACTIVITY	<p>At the Iziduli Emoyeni Wind Energy Facility located in the Blue Crane Route Local Municipality, Eastern Cape, near Bedford. The following properties:</p> <ul style="list-style-type: none"> • Rem. of the Farm Brakke Fonteyn No. 218; • Rem. of Portion 1 of the Farm Brakke Fonteyn No. 218; • Portion 2 (a Ptn. of Portion 1) of the Farm Brakke Fonteyn No. 218; • The Farm Vogel Fonteyn No. 219; • Remainder of the Farm Brakfontein No. 220. 																																				
CO-ORDINATES OF ACTIVITY	<p>Access roads and watercourse crossings within the authorised Iziduli Emoyeni Wind Energy Facility</p> <p><u>Corner point coordinates:</u></p> <table border="1"> <thead> <tr> <th colspan="3">Coordinates</th> </tr> <tr> <th></th> <th>Latitude (S)</th> <th>Longitude (E)</th> </tr> </thead> <tbody> <tr> <td>Northern-most extent</td> <td>32° 52.477' S</td> <td>26° 7.894' E</td> </tr> <tr> <td>Eastern-most extent</td> <td>32° 54.222' S</td> <td>26° 11.189' E</td> </tr> <tr> <td>Southern-most extent</td> <td>32° 57.605' S</td> <td>26° 8.126' E</td> </tr> <tr> <td>Western-most extent</td> <td>32° 53.432' S</td> <td>26° 6.664' E</td> </tr> </tbody> </table> <p><u>Watercourse crossing coordinates:</u></p> <table border="1"> <thead> <tr> <th colspan="3">Coordinates</th> </tr> <tr> <th></th> <th>Latitude (S)</th> <th>Longitude (E)</th> </tr> </thead> <tbody> <tr> <td>WC1</td> <td>32° 53.172' S</td> <td>26° 8.187' E</td> </tr> <tr> <td>WC2</td> <td>32° 53.690' S</td> <td>26° 8.737' E</td> </tr> <tr> <td>WC3</td> <td>32° 53.925' S</td> <td>26° 8.935' E</td> </tr> <tr> <td>WC4</td> <td>32° 54.127' S</td> <td>26° 9.012' E</td> </tr> </tbody> </table>	Coordinates				Latitude (S)	Longitude (E)	Northern-most extent	32° 52.477' S	26° 7.894' E	Eastern-most extent	32° 54.222' S	26° 11.189' E	Southern-most extent	32° 57.605' S	26° 8.126' E	Western-most extent	32° 53.432' S	26° 6.664' E	Coordinates				Latitude (S)	Longitude (E)	WC1	32° 53.172' S	26° 8.187' E	WC2	32° 53.690' S	26° 8.737' E	WC3	32° 53.925' S	26° 8.935' E	WC4	32° 54.127' S	26° 9.012' E
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Access road coordinates:

		Coordinates	
		Latitude (S)	Longitude (E)
Existing access roads to be widened			
E1	Start point	32° 53.193' S	26° 7.642' E
	Middle point	32° 53.108' S	26° 7.803' E
	End point	32° 53.046' S	26° 7.976' E
E2	Start point	32° 53.136' S	26° 8.204' E
	Middle point	32° 53.942' S	26° 8.970' E
	End point	32° 54.921' S	26° 9.180' E
E3	Start point	32° 56.383' S	26° 8.576' E
	Middle point	32° 56.655' S	26° 7.764' E
	End point	32° 56.107' S	26° 7.223' E
New access roads to be constructed			
N1	Start point	32° 53.498' S	26° 7.134' E
	Middle point	32° 53.314' S	26° 7.365' E
	End point	32° 53.193' S	26° 7.642' E
N2	Start point	32° 53.046' S	26° 7.976' E
	Middle point	32° 53.068' S	26° 8.106' E
	End point	32° 53.136' S	26° 8.204' E
N3	Start point	32° 53.483' S	26° 8.234' E
	Middle point	32° 53.478' S	26° 8.359' E
	End point	32° 53.472' S	26° 8.481' E
N4	Start point	32° 53.143' S	26° 8.928' E
	Middle point	32° 53.958' S	26° 8.149' E
	End point	32° 54.880' S	26° 7.692' E
N5	Start point	32° 53.301' S	26° 8.832' E
	Middle point	32° 53.283' S	26° 9.067' E
	End point	32° 53.260' S	26° 9.303' E
N6	Start point	32° 54.622' S	26° 7.960' E
	Middle point	32° 54.666' S	26° 7.973' E
	End point	32° 54.709' S	26° 7.986' E
N7	Start point	32° 54.880' S	26° 7.692' E
	Middle point	32° 54.927' S	26° 7.698' E
	End point	32° 54.974' S	26° 7.703' E
N8	Start point	32° 53.999' S	26° 9.815' E
	Middle point	32° 55.107' S	26° 9.048' E
	End point	32° 56.383' S	26° 8.576' E

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N9	Start point	32° 54.166' S	26° 9.545' E
	Middle point	32° 54.187' S	26° 9.595' E
	End point	32° 54.209' S	26° 9.645' E
N10	Start point	32° 55.419' S	26° 8.937' E
	Middle point	32° 55.397' S	26° 9.000' E
	End point	32° 55.376' S	26° 9.063' E
N11	Start point	32° 55.579' S	26° 8.781' E
	Middle point	32° 55.579' S	26° 8.912' E
	End point	32° 55.579' S	26° 9.044' E
N12	Start point	32° 56.005' S	26° 8.379' E
	Middle point	32° 56.112' S	26° 8.498' E
	End point	32° 56.282' S	26° 8.537' E
N13	Start point	32° 56.408' S	26° 8.433' E
	Middle point	32° 56.425' S	26° 8.446' E
	End point	32° 56.443' S	26° 8.460' E
N14	Start point	32° 56.662' S	26° 7.944' E
	Middle point	32° 56.747' S	26° 7.961' E
	End point	32° 56.831' S	26° 7.977' E
N15	Start point	32° 56.622' S	26° 7.543' E
	Middle point	32° 56.502' S	26° 7.672' E
	End point	32° 56.400' S	26° 7.812' E
N16	Start point	32° 56.398' S	26° 7.411' E
	Middle point	32° 56.157' S	26° 7.525' E
	End point	32° 56.042' S	26° 7.811' E
N17	Start point	32° 56.107' S	26° 7.811' E
	Middle point	32° 55.649' S	26° 8.215' E
	End point	32° 55.204' S	26° 8.215' E

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DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

"EIA Regulations" – These are the 2014 Environmental Impact Assessment Regulations as amended, published in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

"The Department" – The Department of Economic Development, Environmental Affairs and Tourism, Eastern Cape Province.

"Iziduli Emoyeni Wind Energy Facility" – refers to the Iziduli Emoyeni Wind Energy Facility which was previously known as the Amakhala Emoyeni Phase 4 and which obtained environmental authorisation (Reference No.: 12/12/20/1754/4) issued by the DEA on 28 August 2012 in accordance with the 2010 EIA Regulations.

"DEA" – The National Department of Environmental Affairs.

"DWS" – The Department of Water and Sanitation.

"NWA" - The National Water Act, Act 36 of 1998.

"NEMBA" - The National Environmental Management: Biodiversity Act, Act No. 10 of 2004.

"EAP" – refers to the appointed Environmental Assessment Practitioner represented by Savannah Environmental.

"ECO" – Environmental Control Officer.

"FBAR" - refers to the Final Basic Assessment Report titled "Proposed Access Roads and Watercourse Crossings within the authorised Iziduli Emoyeni Wind Energy Facility, Eastern Cape Province" as prepared by Savannah Environmental (Pty) Ltd dated March 2018 and received on 28 March 2018.

“EMPr” – refers to the Draft Environmental Management Programme contained in Appendix F of the FBAR titled “Access Roads and Watercourse Crossings within the Authorised Iziduli Emoyeni Wind Energy Facility, Eastern Cape Province” dated March 2018 as prepared by Savannah Environmental, inclusive of a construction management programme and operation management programme.

“Commencement of any physical activity on site that can be viewed as associated with the construction of the access roads and watercourse crossings, and therefore would in terms of this environmental authorisation include the site preparation for this construction, as described under Section 2 of this Environmental Authorisation.”

This document is a true reproduction of the original document which was handed to me for authentication. I hereby certify that it is identical to the original document and no change was made.
 12 FEB 2022
 Commissioner of Oaths Tasneem Khan
 CA (SA) 08 196322 Ex Officio
 1 Oakdale Rd, The Oval, Wood House, 2nd Floor, Newlands, South Africa

1. 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, Emoyeni Wind Farm Renewable Energy (Pty) Ltd, should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Sections 4 and 5 of this Environmental Authorisation.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 and the NEMA Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises Emoyeni Wind Farm Renewable Energy (Pty) Ltd being the legal or natural person who has applied for this authorisation, with the following contact details:

Name	Emoyeni Wind Farm Renewable Energy (Pty) Ltd		
Address	Private Bag X26, Tokai, Cape Town, 7966		
Applicant as Represented By	Mr Peter Venn	E-mail	peter.venn@windlab.com
Telephone	021 701 1292	Fax	0800 981 222
Cell	083 689 3063		

To undertake the following activities (hereafter referred to as “the activity”), in terms of the scheduled activities listed in the table below:

Detailed description of activity
<p>Windlab Developments South Africa (Pty) Ltd had received authorisation from DEA for the establishment of the Iziduli Emoyeni Wind Energy Facility (previously known as Amakhala Emoyeni Phase 4) on 28 August 2012 (DEA Ref. No. 12/12/20/1754/4). The Amakhala project was split into four phases and Emoyeni Wind Farm Renewable Energy (Pty) Ltd has been established for the development of this portion of the original project.</p> <p>The activities applied for was not previously authorised in terms of the DEA Environmental Authorisation. A previous Environmental Authorisation (ref. no. EC02/C/LN1&3/M/75-2014)</p>

issued for these activities by DEDEAT on 21 July 2015, has since lapsed as commencement of the activities did not occur within the timeframe and no application for extension was received. These activities entail the construction of new access roads of approximately 18 km in length with an average width of 9 metres, the widening of existing access roads from 6 metres to 9 metres with a length of approximately 7,5 km and the widening and upgrading of four existing watercourse crossings. There will be on-going maintenance activities to be conducted during the operational phase for the watercourse crossing structures of the Iziduli Emoyeni Wind Energy Facility development.

The co-ordinate points of the four watercourse crossing points are:

- 1) 32°53.172' S; 26°8.187' E;
- 2) 32°53.690' S; 26°8.737' E;
- 3) 32°53.925' S; 26°8.935' E;
- 4) 32°54.127' S; 26°9.012' E.

Each structure is proposed to have a maximum size of 9m x 12m, i.e. 108m².

General:

Conditions of this Environmental Authorisation require the submission and approval of a Final OEMPr for the roads and culvert/watercourse crossing structures, inclusive of associated infrastructure such as gabions which occur within the watercourses. A Maintenance Management Plan for the operational phase will also be required in terms of this Environmental Authorisation for maintenance of the roads and watercourse crossings.

Listed Activities in terms of the NEMA EIA Regulations 2014, as amended (GN R. 327 of 07 April 2017) as contained in the application form:

R. 327 – 12	The development of – (ii) 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
R. 327 – 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.
R. 327 – 24	The development of a road – (ii) with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres.

Listed Activities in terms of the NEMA EIA Regulations 2014, as amended (GN R. 324 of 07 April 2017) as contained in the application form:

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ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

R. 324 – 4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Eastern Cape (i) Outside urban areas: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
Listed Activities triggered but not applied for in terms of the NEMA EIA Regulations 2014, as amended (GN R. 324 of 07 April 2017):	
R. 324 – 14	The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or ore; where such development occurs – (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse a. Eastern Cape i. Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans

At the locality defined in the Table below, and hereafter referred to as “the property”:

District	Sarah Baartman
Municipal Area	Blue Crane Route Municipality
Farm Name	<ul style="list-style-type: none"> • The Farm Brakke Fonteyn No. 218; • The Farm Vogel Fonteyn No. 219; and • The Farm Brakfontein No. 220.
Farm Number and Portion	<ul style="list-style-type: none"> • Remainder of the Farm Brakke Fonteyn No. 218; • Remainder of Portion 1 of the Farm Brakke Fonteyn No. 218; • Portion 2 (a Portion of Portion 1) of the Farm Brakke Fonteyn No. 218; • The Farm Vogel Fonteyn No. 219; • Remainder of the Farm Brakfontein No. 220.
Erf Number and Township Extension or Suburb	N/A
Co-ordinates	As included on pages 1 to 3 of this Environmental Authorisation
Physical address	Within the authorised Iziduli Emoyeni Wind Energy Facility approximately 25km from Bedford off the R350 connecting Bedford and Grahamstown, within the Blue Crane Route Municipality.

This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

3.1.1. The construction of access roads, widening of existing access roads and construction of structures required for watercourse crossings, as described in Section 2 of this Environmental Authorisation, must commence within a period of 24 (twenty-four) months from the date of issue of this Authorisation; and must be completed within twelve (12) months from the date of commencement.

3.1.2. Extension of the Environmental Authorisation may be applied for in writing provided that the Environmental Authorisation is still valid at the time of submission of such application as provided for in Regulation 28(1) of the 2014 EIA Regulations, as amended (GN R. 326 of 07 April 2017). If no request for extension is received prior to the date of expiry of this Environmental Authorisation, the Environmental Authorisation will be deemed to have lapsed.

3.1.3. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:

3.1.3.1. An updated CEMPr; and

3.1.3.2. Such public participation process as may be deemed necessary at the time of the application for extension.

3.1.4. Conditions relating to the operation of the project are valid in perpetuity.

3.2. Standard conditions

3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.

3.2.2. This Environmental Authorisation applies only to the activities and property described therein.

3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity. In this regard specific mention must be made of:

3.2.3.1. The National Water Act, Act No 36 of 1998 in as far as it relates to any water use licences that may be required for the watercourse crossings;

3.2.3.2. The National Environmental Management: Biodiversity Act, Act No. 10 of 2004;

3.2.3.3. The National Heritage Resources Act, Act No 25 of 1999; and

3.2.3.4. The Conservation of Agricultural Resources Act, Act No. 43 of 1983.

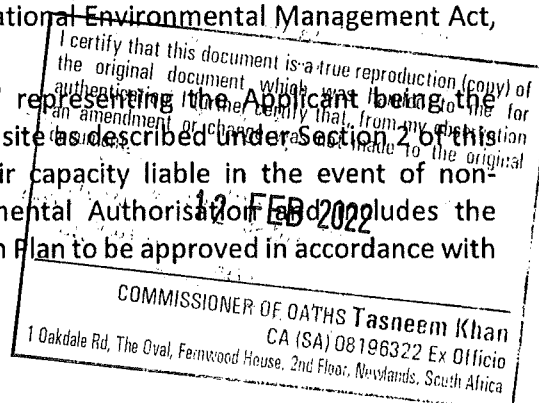
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- 3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
- 3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense, this without limiting the generality of the provisions of Section 28 of the National Environmental Management Act, Act 107 of 1998.
- 3.2.6. Any changes to, or deviations from, the project description set out in this Environmental 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 this Environmental Authorisation to apply for further authorisation in terms of the regulations.
- 3.2.7. Emoyeni Wind Farm Renewable Energy (Pty) Ltd will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.
- In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
- 3.2.9. Any changes to, or deviations from, the project description set out in this Environmental 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 this Environmental Authorisation to apply for further authorisation in terms of the regulations.
- 3.2.10. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be effected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.
- 3.2.11. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), then written notification of such proposed transfer must be sent to this Department a reasonable time before such transfer is proposed to take place. The Department will then consider the request and inform the applicant in writing as to whether the transfer is approved or not. Transfer may only take place if the Department has approved the transfer and issued such written approval. If transfer of the Environmental Authorisation is granted, the new holder of the Environmental Authorisation must accept the responsibility of adherence to the conditions of this Environmental Authorisation. Conditions established in this Environmental Authorisation must be made known to, correctly understood and an acknowledgement in writing must be submitted to the Department within 7 days of such transfer taking place. All conditions are binding on the new authorisation holder.

- 3.2.12. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party including the neighbouring landowners within 14 (fourteen) days of receiving this Environmental Authorisation.
- 3.2.13. This Environmental Authorisation or a certified copy thereof, must be kept on site at all times during construction. Such 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 works or undertakes work at the site.
- 3.2.14. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.15. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.16. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.
- 3.2.17. Emoyeni Wind Farm Renewable Energy (Pty) Ltd representing the Applicant being the management authority of the development on the site as described under Section 2 of this Environmental Authorisation, will be held in their capacity liable in the event of non-compliance with any condition of this Environmental Authorisation. This includes the Environmental Management Plan/s and Final Design Plan to be approved in accordance with the conditions of this environmental authorisation.



3.3. Project-specific Conditions

- 3.3.1. Fourteen days' written notice must be given to the Department that the activity will commence. 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.
- 3.3.2. A plant "search and rescue", to be conducted by a suitably qualified botanical specialist prior to commencement of any vegetation clearing for all protected species and species of special concern that may be affected by the development, as well as other indigenous plant specimens which can be relocated. Such specimens are to be relocated and appropriately transplanted, including in rehabilitation initiatives, where applicable and practical.
- 3.3.3. Further to Condition 3.3.2 any protected species which need to be removed or relocated require the necessary permits to be obtained from DEDEAT for those species protected under the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974), as well as those species listed under NEMBA, i.e. ToPS species. The relevant permits are to be obtained from the DAFF for any species protected under the National Forests Act (Act 84 of 1998).
- 3.3.4. A suitably qualified individual is to carry out a faunal "search and rescue", which fauna are to be relocated to a suitably protected natural area prior to the commencement of vegetation clearing. Should any injured fauna be found, they are to be taken to be examined by a veterinarian and if deemed suitable for rehabilitation, these fauna are to be taken to a suitable faunal rehabilitation centre, in consultation with the Department's Biodiversity

- Unit. Any species protected in terms of the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974) which need to be removed or relocated require the necessary permits to be obtained from DEDEAT.
- 3.3.5. Any recommendations / mitigatory measures contained in the FBAR and its appendices and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure is contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence.
- 3.3.6. Further to Condition 3.3.5, Emoyeni Wind Farm Renewable Energy (Pty) Ltd to compile a detailed record of all Conditions, inclusive of recommendations / mitigatory measures contained in the FBAR, in tabular format for inclusion in the Construction EMPr and Operational Phase EMPr as applicable.
- 3.3.7. Any upgrading of the structures as authorised will be subject to further approval from this Department. For the purposes of this condition, this specifically refers to enlargement, extension or expansion of any footprint area to accommodate authorised structures and associated infrastructure within the watercourse, but excludes regular or routine maintenance to be undertaken in terms of the OEMPr approved as per Condition 3.4.2.
- 3.3.8. Any approval required in terms of Condition 3.3.7 to be considered in terms of the EIA Regulations applicable at the time if relevant or else by any such process as the Department may prescribe in terms of this condition provided that such process must be in line with the applicable Environmental Assessment Processes prescribed by law.
- 3.3.9. The relevant conditions of this Environmental Authorisation shall form part of any contracts entered into between the applicant and any contractor(s) and or any sub-contractor(s).
- 3.3.10. Further to Condition 3.3.9, a performance based requirement with regard to environmental impact management must be included in all contracts related to any activity relating to this Environmental Authorisation inclusive of incentives and penalties.
- 3.3.11. Final design specifications for the watercourse crossing structures, as approved by the DWS, to be submitted to the Department prior to the commencement of construction.
- 3.3.12. An Amended Final Layout Plan based on the Layout Map included as Appendix A2 of the FBAR, for the access roads to be constructed and/or widened, as well as the watercourse crossing structures and associated infrastructure to be established within the drainage lines, to be submitted to the Department for approval prior to the commencement of construction. Such layout to include an addendum with the surveyed start-, mid- and end-point co-ordinates of all roads, as well as the surveyed co-ordinates of all watercourse crossings, as approved in this Environmental Authorisation.
- 3.3.13. The EMPr, as contained in Appendix F of the FBAR is to be regarded as a living document and as such must be revised and updated when necessary and relevant. The EMPr must be amended by separation into a Construction EMPr (CEMPr) for the construction phase and an Operational EMPr (OEMPr) for the operational phase of this development. The CEMPr to be submitted to the Department for approval, prior to the construction phase commencing. The CEMPr to include, amongst others, the following:
- 3.3.13.1. Applicable conditions of this Environmental Authorisation;

- 3.3.13.2. All recommendations, mitigation measures, responsibilities, key actions and other provisions contained in the FBAR with specific reference to the Ecological and Aquatic Impact Assessment Specialist Report contained in the FBAR as Appendix D1;
- 3.3.13.3. General principles of environmental management as applicable to construction activities including environmental best practice, erosion prevention and control, and rehabilitation measures of the development footprint area etc.;
- 3.3.13.4. Copies of all permits / licences issued to Emoyeni Wind Farm Renewable Energy (Pty) Ltd in relation to this project that have relevance to the environment;
- 3.3.13.5. A general code of conduct for any contractor that may be carrying out any work on the relevant development site;
- 3.3.13.6. A clear description of the construction activities to be carried out on the site;
- 3.3.13.7. Details regarding storage of construction material on site;
- 3.3.13.8. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts.
- 3.3.14. General principles of environmental management as contemplated in Condition 3.3.13.3 to include amongst others the following if not already contained in the CEMPr:
- 3.3.14.1. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;
- 3.3.14.2. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;
- 3.3.14.3. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
- 3.3.14.4. No servicing of vehicles and other machinery to take place on site and no fuel or other hazardous material to be stored on site;
- 3.3.14.5. All excess construction material and any waste generated during construction must be removed from site on an ongoing basis;
- 3.3.14.6. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
- 3.3.14.7. Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.15. The disposal of any waste as provided for in Conditions 3.3.14.5 and 3.3.14.6 to take place at a registered waste disposal site.
- 3.3.16. Effective measures to minimise ponding, sedimentation and erosion of the affected watercourse crossing footprint areas, including erosion protection measures for the established water course crossing structures, must be implemented and adequately monitored and maintained in order to attenuate potential upstream and downstream effects of the development.

- 3.3.17. The footprint areas to be affected by construction activities for the construction of the new and/or widened access roads, (co-ordinates and layout as approved in terms of Condition 3.3.12 of this Environmental Authorisation), as well as the watercourse crossing structures and associated infrastructure as detailed in Section 2 of this Environmental Authorisation, is to occur at the listed co-ordinates specified and authorised within the ambit of this Environmental Authorisation.
- 3.3.18. An Environmental Control Officer (ECO) to be appointed for the duration of the construction activities to oversee implementation of the CEMPr as well as adherence to the conditions contained within this Authorisation.
- 3.3.19. The ECO to be appointed prior to the commencement of construction and the name and contact details of the ECO to be submitted to the Department once appointed, together with the 14-day notice to commence.
- 3.3.20. The ECO is amongst others responsible for the following:
- 3.3.20.1. **A Pre-Commencement Audit of the conditions of this Environmental Authorisation, which must be submitted prior to the notice of commencement;**
 - 3.3.20.2. Ensuring that the CEMPr is implemented and strictly adhered to inclusive of the relevant conditions contained within this Environmental Authorisation;
 - 3.3.20.3. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
 - 3.3.20.4. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid re-occurrence of such incidents;
 - 3.3.20.5. To keep copies of all reports submitted to the Department on site; and
 - 3.3.20.6. To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site.
- 3.3.21. The construction phase is to be audited on an ongoing basis by the ECO. The findings of such audits are to be consolidated and submitted to this Department on a quarterly basis. A final post construction and rehabilitation audit is to be conducted and submitted to this Department within three months of the completion of the construction. All audit reports must include photographic records for the construction site.
- 3.3.22. The ECO is to monitor the adherence of the contractors to their method statements and the Conditions of the CEMPr and this Environmental Authorisation.
- 3.3.23. Any non-compliance must be reported to DEDEAT within 24 hours. Provision for penalties and fines is to be made by the ECO for any non-compliance transgressions, and all contractors and subcontractors are to be held liable, in conjunction with the Emoyeni Wind Farm Renewable Energy (Pty) Ltd, and will be required to rectify any damages to the environment on site.

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- 3.3.24. The construction site and any lay down areas must be clearly demarcated and all construction activities to be confined to the area so demarcated inclusive of the storage of any construction material.
- 3.3.25. No construction camp site and any material lay down area is allowed within the 1:100 year floodline or within 32m from the watercourse, whichever is the greater. Where temporary material lay-down areas are required prior to the commencement of the listed activities as authorised herein, such lay down areas must be located on the downward gradient of any watercourse but within the development footprint authorised for the access roads route alignment. Any construction campsite that is deemed necessary is to be located at the main construction camp site for the Iziduli Emoyeni Wind Energy Facility.
- 3.3.26. All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.
- 3.3.27. The South African Heritage Resources Agency (SAHRA) and the Eastern Cape Province Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.28. Any areas disturbed as a result of construction activities to be rehabilitated immediately using vegetation indigenous to the area.
- 3.3.29. All alien invasive species (AIS) that may occur on site, are to be removed in a progressive manner, and any such species colonising disturbed ground are to be removed before reaching the seed formation stage.
- 3.3.30. Notwithstanding the provisions of any of these conditions, all recommendations, guidelines and standard conditions contained in the FBAR must be adhered to.

3.4. Project-specific conditions in relation to the operational management and maintenance of the development

- 3.4.1. An ECO is to be appointed to oversee any environmental management activities undertaken during the operational phase of the project as well as adherence to the requirements of the components of the OEMPr that addresses maintenance and operations occurring within the roads or watercourses associated with operations required for the Iziduli Emoyeni Wind Energy Facility.
- 3.4.2. An Amended OEMPr must be submitted to the Department for approval prior to the completion of construction and must include maintenance requirements and criteria for monitoring and remedial actions where actions are ineffective. The OEMPr must provide for amongst others:

- 3.4.2.1. **A Maintenance Management Plan and the environmental parameters that such maintenance must adhere to, which provides for on-going monitoring for the duration of the lifespan of the wind energy facility for the roads and watercourse crossing structures and their associated footprint areas with associated detailed method statements regarding activities required for the implementation of such maintenance and monitoring plan.**

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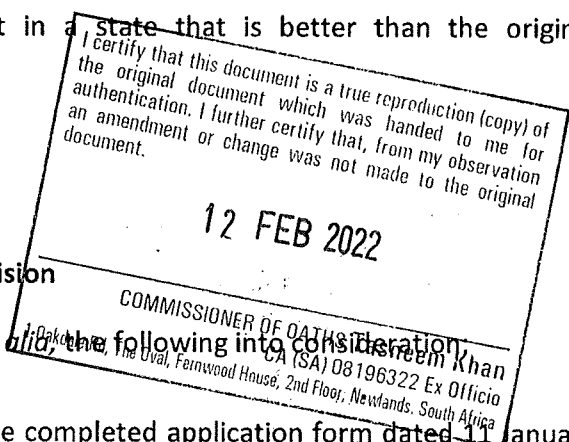
- 3.4.2.2. An alien vegetation management program for the area within the road reserve to be compiled and implemented and monitoring to take place annually for the lifetime of the development in order to ensure that no encroachment of alien vegetation occurs into sensitive areas including riparian zones of any of the watercourses;
- 3.4.2.3. Stormwater and erosion control measures for the roads, as well as all watercourse crossings; and
- 3.4.2.4. A Code of conduct for any contractors and/or workers that may be associated with any activities related to operations.
- 3.4.3. The OEMPr approved in terms of Condition 3.4.2 above, is valid for a period of five (5) years from the date of approval thereof, and must be updated on a five (5) yearly basis. Such updates must be submitted to the Department at least six (6) months prior to the lapsing of the 5-year period. Such updated OEMPr's to include audit reports of any maintenance undertaken within that period.
- 3.4.4. Prior to decommissioning of all or part of the operations the applicant must submit a decommissioning plan to DEDEAT.
- 3.4.5. All decommissioned areas must be left in a state that is better than the original environment.

4. Reasons for Decision

4.1. Information considered in making the decision

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

- 4.1.1. The information contained in the completed application form dated 11 January 2018 and received on 19 January 2018 as prepared by Savannah Environmental (Pty) Ltd.
- 4.1.2. The Final Basic Assessment Report titled the "Proposed Access Roads and Watercourse Crossings within the authorised Iziduli Emoyeni Wind Energy Facility, Eastern Cape Province" as prepared by Savannah Environmental (Pty) Ltd dated March 2018 and received on 28 March 2018.
- 4.1.3. The Department has not conducted a site visit as there have been no changes on site since the issue of the previous Environmental Authorisation with reference number EC02/C/LN1&3/M/75-2014 dated 21 July 2015. Furthermore, the description of the environment and photographs included in the FBAR submitted for this application, confirm the state of the site.
- 4.1.4. The EIA Regulations of 2014 as amended and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998.



4.2. Key factors considered in making the decision

4.2.1. The DEA issued an Environmental Authorisation for Iziduli Emoyeni Wind Energy Facility (previously known as Amakhala Emoyeni Phase 4) on 28 August 2012 (DEA Ref. No. 12/12/20/1754/4). The Amakhala project was split into four phases and Emoyeni Wind Farm Renewable Energy (Pty) Ltd has been established for the development of this portion of the original project. The DEA Environmental Authorisation authorised the construction of wind turbines, and other associated infrastructure, including internal access roads (approximately 6m in width) to each wind turbine required to link the turbines on site, notably where such access roads are to traverse across drainage lines. However, these roads need to be widened to 9 metres in width and the new roads are also to be 9 metres, which necessitated this further Environmental Authorisation. The activities applied for were not previously authorised in terms of the DEA Environmental Authorisation. A previous Environmental Authorisation (ref. no. EC02/C/LN1&3/M/75-2014) issued for these activities by DEDEAT on 21 July 2015, has since lapsed as commencement of the activities did not occur within the timeframe and no application for extension was received.

4.2.2. The FBAR and associated Draft EMP submitted for consideration in terms of the application for environmental authorisation does not indicate the detailed description of the structure needed for each watercourse crossing structure. Condition 3.3.11 of this Environmental Authorisation provide for the submission and approval of such by the DWS and subsequent submission of the approved structures to DEDEAT.

4.2.3. The access roads and watercourse crossings are necessary associated supporting infrastructure which will allow for the successful construction of the Iziduli Emoyeni Wind Energy Facility. This facility will feed energy into the national grid, and will provide both construction related and operational job opportunities.

4.2.4. Although impacts on the natural environment will be unavoidable, the main impacts will manifest itself during the construction phase when the roads are constructed and/or widened and the water course crossing structures initially constructed. The vegetation types on the site consists of Bedford Dry Grassland and Great Fish Thicket, both considered to be least threatened (Mucina, et al., 2006). The drainage lines will be impacted upon as a result of activities associated with the removal of and/or deposition of material required for the establishment of the water course crossing structures. The resultant impacts of the development were assessed as having a Low Significance (with adoption of mitigation measures), given that the vegetation is considered Least Threatened as minimal clearing will be required. Impacts on the drainage lines are considered to be low, with no protected species or species of special concern observed in the drainage lines/watercourses. Conditions of this Environmental Authorisation will further negate these impacts.

4.2.5. No fatal flaws were discovered during the Basic Assessment Process and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, a number of other measures are stipulated in the conditions contained in Section 3 of this Environmental Authorisation that are intended to ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is

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further believed that this development does not present any impact that could not be successfully mitigated.

- 4.2.6. Furthermore, this Environmental Authorisation has required that a CEMPr and an OEMPr must be implemented, which will further mitigate any impacts on the watercourses and surrounding vegetation.
- 4.2.7. The project has been advertised and no objections were lodged against the proposed activity.
- 4.2.8. In general, the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation together with those conditions contained in the DEA Environmental Authorisation (Reference No. 12/12/20/1754/4) and authorisations required in terms of any other statutory legislation (including the National Water Act), 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, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5. Appeal of authorisation

- 5.1. In terms of Regulation 4(2) of the 2014 Environmental Impact Assessment Regulations, as amended, you are instructed to notify all registered interested and affected parties in writing and within fourteen (14) days of the date of the Department's decision in respect of your application.
- 5.2. The written notification referred to in Condition 5 above must -
 - 5.2.1. Specify the date on which the Environmental Authorisation was issued;
 - 5.2.2. Inform interested and affected parties of the appeal procedure provided for in terms of the National Appeal Regulations, 2014, as contained in GN R. 993 of 08 December 2014; and
 - 5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 5.3. Should you decide to appeal, you must submit your appeal to the appeal administrator, as indicated in the table contained in point 3 below, and serve a copy of the appeal to the applicant, if not the appellant, any registered interested and affected party and any organ of state with interest in the matter within twenty (20) days as described in Regulation 4 of the National Appeal Regulations, 2014.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

- 5.4. The address to which the **originals** of any such an appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
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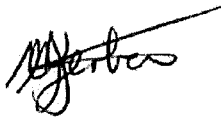
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ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM

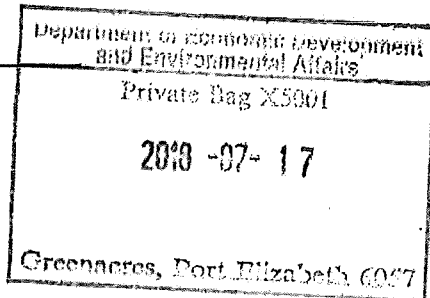
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO, 5605
Hand deliveries at:	Beacon Hill Hockley Close King William's Town 5601
In order to facilitate efficient administration of appeals <u>copies</u> of the appeal and any subsequent appeal documentation must also be submitted as follows:	
General Manager: Environmental Affairs per fax:	[043] 605 7300
Manager: Mr S. Gqalangile - Environmental Impact Management per fax:	[043] 605 7300
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

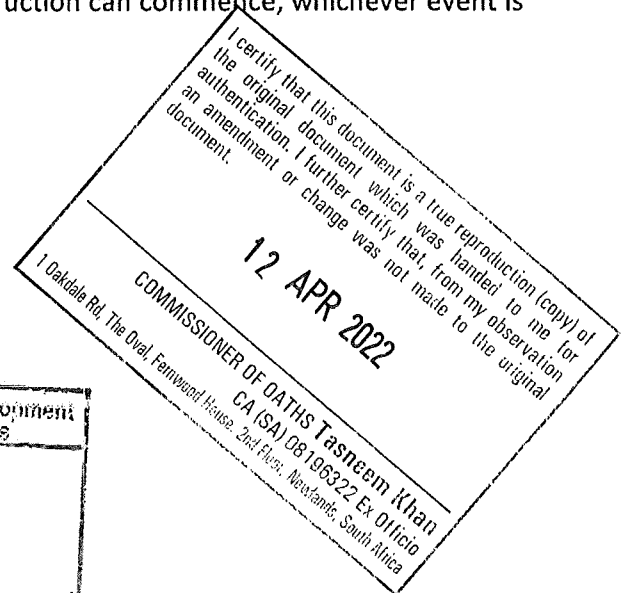
- 5.5. In the event that an appeal is lodged with regard to this Environmental Authorisation, no listed activities as described in this Environmental Authorisation may commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.



NICOLE GERBER
ENVIRONMENTAL OFFICER: EIM
CACADU REGION
DATE: 17 July 2018




DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 17/07/2018





Corner Athol Fugard Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Tel: 041 5085840 Fax: 041 5085865
an amendment or change does not constitute a new document.

Emoyeni Wind Farm Renewable Energy (Pty) Ltd
Private Bag X26
Tokai
7966

12 APR 2022
Ref: EC02/C/LN1&3/M/02-2018
COMMISSIONER OF OATHS Tasneem Khan
CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa

Attention: Mr. Mr Peter Venn

e-mail: peter.venn@windlab.com

AMENDMENT NOTICE #1 - AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS AS AMENDED: PROPOSED ACCESS ROADS AND WATERCOURSE CROSSINGS WITHIN THE AUTHORISED IZIDULI EMOYENI WIND ENERGY FACILITY WITHIN THE BLUE CRANE ROUTE MUNICIPALITY

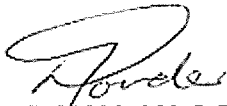
1. Refer to the application for amendment of the above-mentioned Environmental Authorisation dated 2 July 2020 as submitted to this office by Savannah Environmental (Pty) Ltd on 3 July 2020.
2. It is noted that the Application for Amendment was submitted prior to expiry of the Environmental Authorisation as required in terms of the Regulation 28(1) of the 2014 EIA Regulations as amended on 7 April 2017 and that in terms of Regulation 28(1B) of said regulations the Environmental Authorisation remains valid pending the finalisation of the application for amendment.
3. It is further noted the application for amendment is requesting a further extension of the time frame of 24 (twenty four) months relating to commencement of the project as stipulated in Condition 3.1.1 of the Environmental Authorisation and that an extension of 10 (ten) years is being requested for the project to commence.
4. The Department is of the opinion that an extension of 10 (ten) years is excessive and that the environment may have changed considerably to that which was originally assessed during 2018. The Department is furthermore of the opinion that an extension of 48 (forty eight) is reasonable. In this regard please be advised that the Environmental Authorisation is hereby amended as per the attached Amendment Notice as provided for in Regulation 30(2) of the 2014 EIA Regulations as amended.
5. The Department is of the opinion that the amendment will not change the scope of the environmental authorisation nor increase the level or nature of the impact as initially assessed as contemplated in Regulation 29(a) of the 2014 EIA Regulations as amended.

"Innovation for Sustainable Development"

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS, AND TOURISM

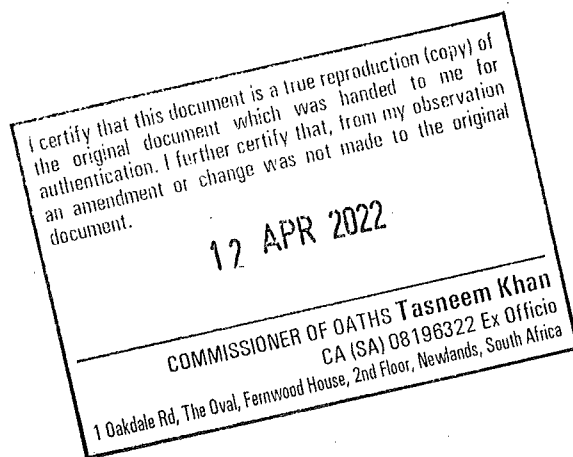
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

6. This letter and the attached Amendment Notice #1 must be attached to the original Environmental Authorisation and must be read in conjunction therewith. All provisions of the Environmental Authorisation ECm1/LN1&3/M/37-2018 must be adhered to.



DAYALAN GOVENDER
REGIONAL MANAGER: ENVIRONMENTAL AFFAIRS
CACADU REGION

DATE: 27 October 2020





Corner Athol Fugard Terrace / Castle Hill Central Port Elizabeth 6001

Private Bag X5001 Greenacres 6057 Republic of South Africa

Contact Person: *Andries Struwig*

Tel: 041 5085800 Fax: 041 5085865 Email: Andries.Struwig@dedea.gov.za

Amendment Notice #1 to Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: EC02/C/LN1&3/M/02-2018 NEAS: ECP/EIA/0000351/2015
LAST AMENDED	Not previously amended. This is the first amendment to be issued.
HOLDER OF AUTHORISATION	Employer Wind Farm Renewable Energy (Pty) Ltd.

I certify that this document is a true and correct copy of the original document which was handed to me for authentication. I further certify that, from my observation an amendment or change was not made to the original document.

12 APR 2022

COMMISSIONER OF OATHS
1, Oakdale Rd, The Court of Oaths Building, 2nd Floor, Newlands, South Africa
CA (SA) 08196332 EK

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

3.1.1. The construction of access roads, widening of existing access roads and construction of structures required for watercourse crossings as described in Section 2 of the Environmental Authorisation issued on 17 July 2018 must commence within a period of 48 (forty eight) months from the date on which the Environmental Authorisation would have lapsed which is 17 July 2020 and construction to be completed within 12 (twelve) months of commencement.

Should the activity not have commenced within this time period, this Environmental Authorisation will lapse and the applicant will be required to re-apply for authorisation in terms of the Environmental Impact Assessment regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.

3.1.2. Extension of the Environmental Authorisation may be applied for in writing provided that the Environmental Authorisation is still valid at the time of submission of such submission as provided for in Regulation 28(1) of the 2014 EIA Regulations as amended. If no request for extension is received prior to the prior to the expiry of this Environmental Authorisation, this Authorisation will be deemed to have lapsed.

Andries Struwig

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.1.3. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
- 3.1.3.1. An updated CEMP; and
 - 3.1.3.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.4. Conditions relating to the operation of the project are valid for the lifetime of the project inclusive of decommissioning.



ANDRIES STRUWIG
ASSISTANT DIRECTOR: EIM
CACADU REGION

DATE: 21 October 2020



DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION

DATE: 27 October 2020

I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that, from my observation an amendment or change was not made to the original document.

12 APR 2022

COMMISSIONER OF OATHS **Tasneem Khan**
CA (SA) 08196322 Ex Officio
1 Oakdale Rd, The Oval, Fernwood House, 2nd Floor, Newlands, South Africa