



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

DEFF Reference: 14/12/16/3/3/1/1955/AM1

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 **E-mail:** HAlberts@dffe.gov.za

Mr Alan Wolfromm
Highlands North Wind Energy Facility RF (Pty) Ltd
Mountain Forest Farm
Erf 384 Hoekwil
WESTERN CAPE
6560

Telephone Number: (082) 529 4909
Email Address: MrWolf@wkn-windcurrent.com

PER EMAIL / MAIL

Dear Mr Wolfromm

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 04 FEBRUARY 2020 FOR THE DEVELOPMENT OF THE 87MW HIGHLANDS NORTH WIND ENERGY FACILITY (WEF) AND ITS ASSOCIATED INFRASTRUCTURE WEST OF THE TOWN OF SOMERSET EAST WITHIN THE BLUE CRANE LOCAL MUNICIPALITY IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 04 February 2020, the application for amendment of the EA received on 02 December 2021, the acknowledgement letter dated 07 December 2021, the draft amendment motivation report received by the Department on 06 December 2021, the comments issued by this Department on 21 January 2022 and the final amendment motivation report received on 24 March 2022 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 04 February 2020, as follows:

Amendment 1:

The applicant applied to amend the EA as follows:

- amendments to the project description of the EA;
- the addition of a Battery Energy Storage System (BESS);
- amendments to the preliminary layout of the project; and,
- removal of Condition 39 of the EA.

The title on page 01 of the EA has been amended:

From:

"The development of the 84MW Highlands North Wind Energy Facility (WEF) and its associated infrastructure west of the town of Somerset East within the Blue Crane Local Municipality in the Eastern Cape Province."

To:

"The development of the 87MW Highlands North Wind Energy Facility (WEF) and its associated infrastructure west of the town of Somerset East within the Blue Crane Local Municipality in the Eastern Cape Province."

The activity description on the table on page 04 and 05 of the EA is amended:

From:

<p><u>Listing Notice 1 Item 12:</u> <i>"The development of-</i> (ii) <i>infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs</i> (a) <i>within a watercourse</i> (c) <i>if no development setback exists within 32m of a watercourse, measured from the edge of a watercourse."</i></p>	<p><i>Infrastructure will be required at 5 water crossings and within 32 meters of a watercourse that covers an area of more than 100m².</i></p>
<p><u>Listing Notice 2 Item 1:</u> <i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more."</i></p>	<p><i>The WEF will consist of up to 14 turbines for electricity generation with a combined capacity of more than 20MW.</i></p>

To:

<p><u>Listing Notice 1 Item 12:</u> <i>"The development of-</i> (ii) <i>infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs</i> (a) <i>within a watercourse</i> (c) <i>if no development setback exists within 32m of a watercourse, measured from the edge of a watercourse."</i></p>	<p><i>Infrastructure will be required at 3 water crossings and within 32 meters of a watercourse that covers an area of more than 100m².</i></p>
<p><u>Listing Notice 2 Item 1:</u> <i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more."</i></p>	<p><i>The WEF will consist of up to 12 turbines for electricity generation with a combined capacity of more than 20MW.</i></p>

The table of coordinates on page 08 of the EA is amended:

From:

Alternative Preferred Site	Latitude	Longitude
North West Corner	32°41' 14.26"S	25°20' 59.40"E
North East Corner	32°41' 46.46"S	25°23' 46.05"E
South West Corner	32°47' 49.72"S	25°18' 29.57"E
South East Corner	32°49' 21.14"S	25°23' 08.26"E
Substation location (central point)	32°42' 36.35"S	25°21' 05.15"E
Construction camp/laydown area	32°42' 36.35"S	25°21' 05.15"E
Access Road	32°41' 20.48"S	25°21' 31.00"E

To:

Alternative Preferred Site	Latitude	Longitude
North West Corner	32°41' 14.26"S	25°20' 59.40"E
North East Corner	32°41' 46.46"S	25°23' 46.05"E
South West Corner	32°47' 49.72"S	25°18' 29.57"E
South East Corner	32°49' 21.14"S	25°23' 08.26"E
Substation location (central point)	32°42' 36.35"S	25°21' 05.15"E
Construction camp/laydown area	32°42' 36.35"S	25°21' 05.15"E
Access Road	32°41' 20.48"S	25°21' 31.00"E
Battery Energy Storage System	32°42'34.11"S	25°21'3.96"E

The project description on page 09 of the EA is amended:

From:

"- for the 84MW Highlands North WEF and its associated infrastructure located approximately 20km west of the town of Somerset East, bordering the south of the R63 provincial route, approximately 23km south-east of Pearston, in the Eastern Cape Province. It is located in the Blue Crane Route Local Municipality (BCRLM) in the Sarah Baartman District Municipality (SBDM), hereafter referred to as "the property"."

To:

"- for the 87MW Highlands North WEF and its associated infrastructure located approximately 20km west of the town of Somerset East, bordering the south of the R63 provincial route, approximately 23km south-east of Pearston, in the Eastern Cape Province. It is located in the Blue Crane Route Local Municipality (BCRLM) in the Sarah Baartman District Municipality (SBDM), hereafter referred to as "the property"."

The infrastructure associated with this facility on page 09 and 10 of the EA is amended:

From:

"The infrastructure associated with this facility includes:

- 14 Wind turbines with a rotor diameter of up to 150m, hub height from ground level up to 135m and blade length of up to 75m with a maximum generating capacity of up to 84MW in total;
- Steel and concrete foundations of up to approximately 25m x 25m in total and up to 5m deep per turbine which will include concrete and steel plinths depending upon local ground conditions;
- A transformer for up to 5m x 5m per hard standing area per turbine;
- Cabling between turbines along road infrastructure where possible, and will either be overhead or underground;
- Area occupied by inverter transformer stations/substation of 1.1 hectares;
- Area occupied by permanent laydown area of 1 hectare;
- Area occupied by construction/temporary laydown area of 1 hectare;
- Operations and maintenance buildings (O&M building) with parking area measuring 200m x 200m;
- Internal roads approximately 50km in length and 12m wide;
- Fencing on the site, alarm and video surveillance system; and
- Lighting system."

To:

"The infrastructure associated with this facility includes:

- Up to 12 Wind turbines with a rotor diameter of up to 175m (except T01 with a maximum rotor diameter of 160 m and T12 with a maximum rotor diameter of 150 m), hub height from ground level up to 180m and blade length of up to 87.5m (except T01 with a maximum blade length of 80m and T12 with a maximum blade length of 75m) with a maximum generating capacity of up to 87MW in total;
- Steel and concrete foundations of up to approximately 35m x 35m in total and up to 7m deep per turbine which will include concrete and steel plinths depending upon local ground conditions;
- A transformer for up to 5m x 5m per hard standing area per turbine;
- Cabling between turbines along road infrastructure where possible, and will either be overhead or underground;
- Area occupied by inverter transformer stations/substation of 1.1 hectares;
- Area occupied by permanent laydown area of 1 hectare;
- Area occupied by construction/temporary laydown area of 1 hectare;
- Operations and maintenance buildings (O&M building) with parking area measuring 200m x 200m;
- Internal roads approximately 50km in length and 12m wide;
- Fencing on the site, alarm and video surveillance system;
- Lighting system; and,
- Battery Energy Storage System (BESS) adjacent to the substation, on the temporary laydown area (with a footprint of approximately 1ha, and a height of up to 8m)."

The technical details for the facility table on page 10 of the EA is amended:

From:

Component	Description/ Dimensions
Location of the site	~ 20km west of the town of Somerset East
Export capacity	Up to 84MW
Proposed technology	Wind turbines
Number of Turbines	14
Hub height from ground level	Up to 135m
Rotor diameter	Up to 150m
Width and length of internal roads	Internal roads width: Approximately 12m Internal roads length: Approximately 50km

To:

Component	Description/ Dimensions
Location of the site	~ 20km west of the town of Somerset East
Export capacity	Up to 87MW
Proposed technology	Wind turbines
Number of Turbines	Up to 12
Hub height from ground level	Up to 180m
Rotor diameter	Maximum of 175 m (except T01 with a maximum rotor diameter of 160 m and T12 with a maximum rotor diameter of 150 m).
Width and length of internal roads	Internal roads width: Approximately 12m Internal roads length: Approximately 45km

The following technical details for the BESS table have been added to page 10 of the EA:

Component	Description/ Dimensions
Technology	Solid State (e.g.: Lithium Ion) or Flow Technologies
BESS footprint	Up to 1ha in total extent, including foundation and containerised battery system
Capacity	870MWh
Access road to BESS	The authorised road used to approach the substation compound would be used for the BESS, and once inside the substation compound, there would be internal roads to the office parking, substation and BESS. The roads may be approximately 8m in width.
Height	Up to 8m
Fencing	Fencing around the footprint of the BESS will be installed for access restriction measures.

Condition 1 on page 10 of the EA is amended:

From:

"The development of the 84MW Highlands North Wind Energy Facility and its associated infrastructure west of the town of Somerset East within the Blue Crane Route Local Municipality in the Eastern Cape Province as described above is hereby approved."

To:

"The development of the 87MW Highlands North Wind Energy Facility and its associated infrastructure west of the town of Somerset East within the Blue Crane Route Local Municipality in the Eastern Cape Province as described above is hereby approved."

Condition 16.2 and 16.3 on page 13 of the EA is hereby amended:

From:

"16. The EMPr amendment must include the following:

- 16.1. The requirements and conditions of this authorisation.*
- 16.2. All recommendations and mitigation measures recorded in the BAR.*
- 16.3. All mitigation measures as listed in the specialist reports within the BAR."*

To:

"16. The EMPr amendment must include the following:

- 16.1. The requirements and conditions of this authorisation.*
- 16.2. All recommendations and mitigation measures recorded in the BAR and subsequent EA amendment report(s).*
- 16.3. All mitigation measures as listed in the specialist reports within the BAR and subsequent EA amendment report(s)."*

The following condition on page 17 of the EA is hereby removed:

"39. The development footprint must exclude the area identified as a potential target for the protected area expansion (NPAES)."

Condition 62 on page 20 of the EA is hereby amended:

From:

"The recommendations of the EAP in the BAR dated November 2019 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference."

To:

"The recommendations of the EAP in the BAR dated November 2019, subsequent EA amendment report(s) and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference."

Reason for amendments:

The Applicant wishes to increase the maximum dimensions of the Wind Turbine Generators (WTGs) in order to align to current international WTG models. Given ongoing and rapid technological improvements in the wind energy industry, WTG models are evolving on a continual basis. To ensure that a WEF has the smallest possible footprint per total installed capacity, the WTGs are evolving in higher yielding and more efficient generating unit. The Applicant accordingly wishes to amend the authorised turbine specifications to future proof the project amidst rapid technology developments, whilst also reducing the number of WTGs at the WEF. The applicant also applied to remove the condition excluding the development footprint from the protected area expansion (NPAES). Whilst indicated in the Revised Final BAR for the project (November 2019), "the majority of the development footprint falls within the Camdeboo Escarpment NPAES Focus Area" (Arcus Consultancy Services South Africa, 2019). The Applicant is therefore applying for the removal of Condition 39 of the EA, as it is viewed to be against the authorized project description and authorized EIA listed activities for the project (particularly the authorized EIA listed activities related to activities within the NPAES). Furthermore, it should be noted that the Highlands WEF area does not fall within an NPAES Focus Area under the more recent 2016 NPAES Layer.

Slight adjustments to the turbine positions in the preliminary layout was proposed to minimise wake effects between the turbines, as well as to avoid any part of the proposed larger turbine blades extending into areas identified as highly sensitive for birds and bats. Refinement to the proposed access roads layout is also required, due to the proposed amendments to the turbine positions and the reduction in the number of turbines (from 14 to a maximum of 12). The proposed BESS would be located and developed immediately adjacent to the authorized substation on the temporary laydown area footprint, which forms part of the assessed and authorized development footprint of the proposed project.

This amendment letter must be read in conjunction with the EA dated 04 February 2020 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 stipulates 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 abuses or compromises 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 and within 14 (fourteen) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the 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 prescribe 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.

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;

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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 04/07/2022.

cc:	Thabiso Klaas	Blue Crane Route Local Municipality	Email: mmanager@bcm.gov.za
	Gerry Pienaar	EC DEDEAT	Email: Gerry.pienaar@dedea.gov.za
	Charmaine Struwig	EC DEDEAT	Email: Charmaine.Mostert@dedea.gov.za
	Nicole Holland	Holland & Associates Environmental Consultants	Email: nicole@hollandandassociates.net



forestry, fisheries & the environment

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

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA
Tel: (+27 12) 399 8000

Enquiries: Devinegie Bendeman Telephone: 012 399 8337 E-mail: vbendeman@dffe.gov.za

Ms. Milicent Solomons
Director: Prioritized Infrastructure Projects

Dear Mrs Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms. Devinegie Bendeman
Deputy Director-General: RCSI (Regulatory Compliance and
Sector Monitoring)

Date 20 April 2022

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorizations

Signed:

Date:

20/04/2022