



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/1/1561

Enquiries: Ms Thabile Sangweni

Telephone: (012) 399 9409 **E-mail:** TSangweni@environment.gov.za

Mr Richard Gordon
Komsberg Wind Farms (Pty) Ltd
PO Box 23101
CLAREMONT
7735

Telephone Number: (021) 670 1408
Email Address: Richard.Gordon@aiimafrica.com

PER E-MAIL / MAIL

Dear Mr Gordon

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/985 FOR THE KOMSBERG EAST GRID CONNECTION (POWERLINE AND SWITCHING STATION) NEAR SUTHERLAND WITHIN THE KAROO HOOGLAND LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

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

The following activity which was applied for is not authorised as part of this application as it was not assessed:

- GN R 985 Activity 10 (g)(i).

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 EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. 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 registered interested and affected parties by the applicant.

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

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

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

Appeals must be submitted in writing to:

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

Tel: (012) 399 9356

Email: 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).

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: 08/09/2012

cc:	A Bodasing	Arcus Consultancy Services Ltd	Email: ashlinb@arcusconsulting.co.za
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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014

132 kV 55km overhead powerline, a 100m x 150m switching station and associated infrastructure near Sutherland within the Karoo Hoogland and Laingsburg Local Municipalities in the Northern and Western Cape Provinces

Central Karoo and Namakwa District Municipalities

Authorisation register number:	<i>14/12/16/3/3/1/1561</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Komsberg Wind Farms (Pty) Ltd</i>
Location of activity:	<i>Portion 4 of Taayboschkraal 12; Portion 3 of Taayboschkraal 12; Portion 1 of Taayboschkraal 12; Portion 2 of Taayboschkraal 12; Portion 3 of Boschmans Kloof 9; Portion 0 of Anys Riviers Plaats 13; Portion 0 of Vlakkloof 11; Portion 1 of Welgemoed 268; Portion 2 of Welgemoed 268;</i>

	<p><i>Portion 2 of Schalkwykskraal 204;</i> <i>Portion 12 of Taayboschkraal 12;</i> <i>Kentucky 206;</i> <i>Portion 1 of Rheeboeke Fontein 209;</i> <i>Portion 2 of Rheeboeke Fontein 209;</i> <i>Portion 3 of Rheeboeke Fontein 209;</i> <i>RE of Standvastigheid 210;</i> <i>Karoo Hoogland Local Municipality;</i> <i>Laingsburg Local Municipality;</i> <i>Namakwa District Municipality;</i> <i>Central Karoo District Municipality</i></p>
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This environmental 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.

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, 1998 and the EIA regulations.

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

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

KOMSBERG WIND FARMS (PTY) LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Richard Gordon
PO Box 23101
CLAREMONT
7735

Telephone Number: (021) 670 1408
Cell phone Number: (082) 564 5664
Fax Number: (021) 670 1470
Email Address: Richard.Gordon@aiimafrica.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983) and Listing Notice 3 (GN R. 985):

Activity number	Activity description
<u>GN R. 983 Item 11:</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity – (i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV."</i>	The grid connection would consist of a 132 kV powerline which would connect to the national grid.
<u>GN R. 983 Item 12:</u>	

<p><i>"The development of –</i></p> <p><i>(iii) Bridges exceeding 100 square metres in size;</i></p> <p><i>(x) Buildings exceeding 100 square metres in size;</i></p> <p><i>(xii) Infrastructures or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>Where such development occurs –</i></p> <p><i>(a) Within a watercourse;</i></p> <p><i>(b) In front of a development setback; or</i></p> <p><i>(c) If no development setback exists, within 32 metres of a watercourse measured from the edge of a watercourse."</i></p>	<ul style="list-style-type: none"> - The proposed project may include construction of infrastructure within 32m of a watercourse, although no-go buffers have been delineated for watercourses. - Bridges may be required to cross watercourses for access tracks. - The footprint of the turbines and associated infrastructure may exceed 100m² in total. - The footprint of the proposed switching station would exceed 100m² and may be located within 32m of a watercourse.
<p><u>GN R. 983 Item 19:</u></p> <p><i>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from –</i></p> <p><i>(i) a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving –</i></p> <p><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or</i></p> <p><i>(c) falls within the ambit of Activity 21 in this Notice, in which case that activity applies."</i></p>	<ul style="list-style-type: none"> - The construction of the powerline would likely include the excavation of soil in watercourses or drainage line areas, and this may exceed 5 cubic metres. - The construction of associated infrastructure such as access tracks crossing watercourses would require excavation and/or infilling of watercourse areas. - If necessary, borrow pits and fill would be provided by contractors in line with all relevant regulations.
<p><u>GN R. 983 Item 48:</u></p> <p><i>"The expansion of –</i></p> <p><i>(iii) bridges where the bridge is expanded by 100 square metres or more in size;</i></p> <p><i>(a) within a watercourse."</i></p>	<p>Existing bridges over watercourses may need to be expanded or widened.</p>
<p><u>GN R. 983 Item 56:</u></p>	

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<p><i>"The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 km-</i></p> <p><i>(i) where the existing reserve is wider than 13,5 metres; or</i></p> <p><i>(ii) where no reserve exists where the existing road is wider than 8 metres; excluding where widening or lengthening occur inside urban areas."</i></p>	<p>Existing farm access roads may need to be widened or lengthened. These roads would currently have no road reserve and may be wider than 8 metres in some areas.</p>
<p><u>GN R. 985 Item 4:</u></p> <p><i>"The development of a road wider than 4m with a reserve less than 13, 5 metres.</i></p> <p><i>(a) In Northern Cape:</i></p> <p><i>ii. Areas outside urban areas;</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>(f) In Western Cape:</i></p> <p><i>i. Areas outside urban areas;</i></p> <p><i>(aa) Areas containing indigenous vegetation."</i></p>	<p>Service track roads could be constructed that may be wider than 4m in places. The site falls outside of an urban area and parts of the site fall within CBAs.</p>
<p><u>GN R. 985 Item 12:</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><i>(a) In Western Cape:</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans;</i></p> <p><i>(d) In Northern Cape:</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The proposed development will require the clearance of natural vegetation in excess of 300m² in areas of natural vegetation. Parts of the site fall within CBAs.</p>
<p><u>GN R. 985 Item 14:</u></p> <p><i>"The development of –</i></p>	

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<p>(iii) <i>Bridges exceeding 10 square metres in size;</i></p> <p>(x) <i>Buildings exceeding 10 square metres in size;</i></p> <p>(xii) <i>Infrastructure or structures with a physical footprint of 10 square metres or more</i></p> <p><i>Where such development occurs-</i></p> <p>(a) <i>Within a watercourse;</i></p> <p>(b) <i>In front of a development setback; or</i></p> <p>(c) <i>If no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p>(a) <u><i>In Northern Cape:</i></u></p> <p>ii. <i>Outside urban areas, in:</i></p> <p>(ff) <i>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> <p>(f) <u><i>In Western Cape:</i></u></p> <p>i. <i>Outside urban areas, in:</i></p> <p>(ff) <i>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	<p>Bridges and infrastructure may be constructed within 32m of watercourses. The site lies outside of an urban area, and parts of the site fall within CBAs.</p>
<p><u>GN R. 985 Item 18:</u></p> <p><i>"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 km.</i></p> <p>(a) <u><i>In Northern Cape:</i></u></p> <p>ii. <i>Outside urban areas, in:</i></p> <p>(ee) <i>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> <p>(f) <u><i>In Western Cape:</i></u></p>	<p>Existing farm roads may need to be widened or lengthened. The site lies outside urban areas, and contains indigenous vegetation.</p>

<p>i. all areas outside urban areas: (aa) Areas containing indigenous vegetation.”</p>	
<p><u>GN R. 985 Item 23:</u> “The expansion of-</p> <p>(iii) Bridges where the bridge is expanded by 10 square metres or more in size;</p> <p>(x) Buildings where the building is expanded by 10 square metres or more in size;</p> <p>(xii) Infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such development occurs –</p> <p>(a) Within a watercourse;</p> <p>(b) In front of a development setback adopted in the prescribed manner; or</p> <p>(c) If no development setback has been adopted, within 32m of a watercourse, measured from the edge of a watercourse;</p> <p>(a) <u>In Northern Cape:</u></p> <p>ii. Outside urban areas, in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p> <p>(g) <u>In Western Cape:</u></p> <p>i. Outside urban areas, in: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.”</p>	<p>The construction of the grid connection may include the expansion of existing bridges over watercourses. The site lies outside of any urban area, and CBAs are present on site.</p>

as described in the Basic Assessment Report (BAR) dated June 2016 at:

Preferred 132 kV overhead powerline (55km):

Starting	32°44'18.96"S	20°59'42.68"E
Middle	32°46'52.22"S	20°45'59.22"E
End	32°55'55.20"S	20°35'43.58"E

Switching station (for grids)	32°44'18.65"S	20°59'44.10"E
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Preferred access to site:

	32°44'45.06"S	20°55'29.79"E
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Preferred temporary construction camp/laydown areas:

Temporary 1	32°44'10.88"S	20°59'33.99"E
Temporary 2	32°44'13.84"S	20°59'49.14"E
Temporary 3	32°44'1.05"S	20°58'10.29"E

- for the construction of a 55km 132 kV overhead powerline, a 100m x 150m switching station and associated infrastructure near Sutherland within the Laingsburg and Karoo Hoogland Local Municipalities in the Northern and Western Cape Provinces, hereafter referred to as "the property".

The Komsberg East grid connection will comprise the following:

- An approximately 55km 132 kV overhead powerline from the on-site 132 kV substation complex running along an approximate west south west trajectory to the national grid at the Eskom Komsberg Main Transmission substation;
- An on-site switching station is to be located adjacent to each wind energy facility's substation complex with a maximum footprint of 100m x 150m. The switch gear within this station enables energy to be transferred to the existing national grid. The footprint of the switching station include offices/buildings associated with the operation and management of the switching station;
- Concrete, steel or wood monopoles (preferred);
- Guy line supported steel structures;

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- Free standing metal lattice towers; and,
- Multi-pole structures such as H-towers or K-towers.

Technical details of the proposed facility:

Component	Description/ Dimensions
Location of the site	40km south east of Sutherland
Length of Powerline	55km
Export capacity	132 kV

Conditions of this Environmental Authorisation

Scope of authorisation

1. A 55km 132 kV overhead powerline, a 100m x 150m switching station and associated infrastructure near Sutherland within the Laingsburg and Karoo Hoogland Local Municipalities in the Northern and Western Cape Provinces, are hereby approved.
2. Construction of this project may only commence once the 275 MW Komsberg East Wind Energy Facility (14/12/16/3/3/2/857), has commenced with the construction phase.
3. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
4. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
5. The activities authorised may only be carried out at the property as described above.
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 the authorisation to apply for further environmental authorisation in terms of the regulations.

7. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
8. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
9. Construction must be completed within five (05) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

11. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
12. The notification referred to must –
 - 12.1. specify the date on which the environmental authorisation was issued;
 - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 12.4. provide the reasons of the competent authority for the decision.
13. The holder of the authorisation must publish a notice –
 - 13.1. informing interested and affected parties of the decision;
 - 13.2. informing interested and affected parties where the decision can be accessed; and
 - 13.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

Commencement of the activity

14. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

15. A copy of the final development layout map must be made available for comments by registered Interested and Affected Parties and the applicant must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - 15.1. Position of the switching station and its associated infrastructure;
 - 15.2. Connection routes (including pylon positions) to the distribution/transmission network;
 - 15.3. Foundation footprint;
 - 15.4. Internal roads indicating width;
 - 15.5. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 15.6. All sensitive features e.g. heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 15.7. All existing infrastructure on the site, especially roads; and,
 - 15.8. All "no-go" and buffer areas.
16. The Environmental Management Programme (EMPr) submitted as part of the BAR is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the applicant must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.

17. The EMPr is amendable and must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
18. Changes to the EMPr, which are environmentally defensible, shall be submitted to this Department for acceptance before such changes could be effected.
19. The Department reserves the right to amend the EMPr should any impacts that were not anticipated or covered in the BAR be discovered.
20. The provisions of the approved EMPr including recommendations and mitigation measures in the BAR and specialist studies shall be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.
21. The EMPr amendment must include the following:
 - 21.1. All recommendations and mitigation measures recorded in the BAR.
 - 21.2. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 21.3. The requirements and conditions of this authorisation.
 - 21.4. The final site layout map.

Frequency and process of updating the EMPr

22. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 28 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
 23. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
 24. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
 25. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
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26. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

Monitoring

27. The holder of the authorisation must appoint an 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 environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
- 27.1. The ECO must be appointed before commencement of any authorised activities.
- 27.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 27.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
- 27.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

28. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
29. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
30. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
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31. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
32. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
33. 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 the development.

Notification to authorities

34. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

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

Site closure and decommissioning

36. Should the activity ever cease or become redundant, the holder of the authorisation must 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.

Specific conditions

Conditions for Non-operational aspects

37. A 200m buffer must be applied for all specific dolerite sills.

38. Anti-collision devices such as bird flappers must be installed where the powerline crosses 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.
39. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
40. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
41. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
42. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
43. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
44. Construction must include 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.
45. 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.
46. Any solid waste, which will not be recycled, must 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). No waste material may be left on site after construction.
47. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.

General

48. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 48.1. at the site of the authorised activity;
 - 48.2. to anyone on request; and
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- 48.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
49. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 08/09/2016



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 01/07/2016;
- b) The information contained in the BAR dated June 2016;
- c) The comments received from the Heritage Western Cape (HWC), SANRAL, Eskom, South African Civil Aviation Authority (SACAA), DAFF Northern Cape Region, South African Astronomy Observatory (SAAO), Western Cape Department of Transport and Public Works, Department of Rural Development and Land Reform, Department of Water and Sanitation and Department of Environmental Affairs and Development Planning, DENC, ATNS, Cape Nature and interested and affected parties as included in the BAR dated June 2016;
- d) Mitigation measures as proposed in the BAR and the EMPr;
- e) The information contained in the specialist studies contained within the appendices of the BAR dated June 2016 and as appears below:

Title	Prepared by	Date
Visual Impact Assessment	Bernard Oberholzer	March 2016
Aquatic Impact Assessment	Scherman Colloty & Associates	April 2016
Social Impact Assessment	Tony Barbour and Schalk Van der Merwe	December 2015
Flora and Fauna Impact Assessment	Simon Todd	December 2015
Avifaunal Impact Assessment	Arcus Consultancy Services and peer reviewed by Wild Skies	April 2016
Bat Impact Assessment	Arcus Consultancy Services and peer reviewed by Animalia Zoological & Ecological Consultation	April 2016
Noise Impact Assessment	Enviro Acoustic Research	October 2015
Palaeontological impact assessment	J. Almond PhD of Natura Viva cc,	December 2015
Noise impact assessment	M. de Jager and S. Weiberg of Enviro Acoustic Research	December 2015

Heritage Impact Assessment	ACO Associates	November 2015
Paleontological Impact Assessment	Natura Viva	November 2015
Soils and Agricultural Potential Study	ARC – Institute for Soil, Climate and Water	June 2015
Transport Assessment	Aurecon South Africa	May 2016
EMPr	Arcus	May 2016

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) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The aim of the project is to connect the Komsberg East Wind Energy Facility with the Komsberg Main Transmission substation.
- c) The BAR dated June 2016 identified all legislation and guidelines that have been considered in the preparation of the BAR dated June 2016.
- d) The methodology used in assessing the potential impacts identified in the BAR dated June 2016 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 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 BAR dated June 2016 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) The information contained in the BAR dated June 2016 is deemed to be accurate and credible.

- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities 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 authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.