

**APPENDIX C7**  
**COMMENTS RECEIVED**

## ORGANS OF STATE

Eskom SOC Ltd

## Savannah Public Process

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**From:** John Geeringh  
**Sent:** Monday, January 25, 2021 7:53 AM  
**To:** Savannah Public Process  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes  
**Attachments:** Eskom requirements for work in or near Eskom servitudes.doc; Renewable Energy Generation Plant Setbacks to Eskom Infrastructure Rev2 - signed.pdf

Please find attached Eskom general requirements for works at or near Eskom infrastructure and servitudes. Please also find attached the Eskom setbacks guideline the applicant needs to consider during planning of the layouts and positioning of infrastructure.

Kind regards

John Geeringh (Pr Sci Nat)(EAPASA)  
Senior Consultant Environmental Management  
Land and Rights  
Eskom Transmission Division  
Megawatt Park, D1Y42, Maxwell Drive, Sunninghill, Sandton.

---

**From:** Public Process <publicprocess@savannahsa.com>  
**Sent:** Friday, 22 January 2021 15:39  
**To:** John Geeringh  
**Cc:** nicolene@savannahsa.com; ronald@savannahsa.com; Nicolene Venter <nicolene@savannahsa.com>  
**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

### **DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE**

Dear John,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhanda within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor. The cluster consists of nine (9) projects which includes six (6) wind farms, two (2) solar energy facilities and one (1) Main Transmission Substation (MTS). A suitable project site for each development has been identified by the project development companies and the entire extent of the projects is located within the Sarah Baartman District Municipality. The western section is located within the Blue Crane Route Local Municipality and the eastern section within the Makana Local Municipality.

Please find attached the Background Information Document which provides additional information

regarding the application for the six (6) wind energy facilities, the two (2) solar energy facilities and the 400MW Main Transmission Substation.

The .KMZs for the development sites and grid connection are not yet available and as soon as these become available, we will forward it to you.

Please accept my apologies for omitting you from the projects' databases at this early stage of the project.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and look forward to your involvement throughout this process.

Kind regards,



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f: 086 684 0547

**Nicolene Venter**  
Public Process

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[SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015](#)

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## TO WHOM IT MAY CONCERN


### Eskom requirements for work in or near Eskom servitudes.

1. Eskom's rights and services must be acknowledged and respected at all times.
2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.
3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.
4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.
5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.
6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.
7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.
8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.
9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager

Note: Where an electrical outage is required, at least fourteen work days are required to arrange it.

10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.
11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.
12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by *Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)*.
13. Equipment shall be regarded electrically live and therefore dangerous at all times.
14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.
15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.
16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.
17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.

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	<p style="text-align: center;"><b>SCOT</b></p>	<p style="text-align: center;"><b>Technology</b></p>
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Title: **Renewable Energy Generation Plant Setbacks to Eskom Infrastructure** Unique Identifier: **240-65559775**

Alternative Reference Number: **N/A**

Area of Applicability: **Power Line Engineering**



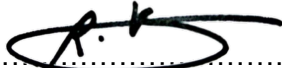
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Disclosure Classification: **CONTROLLED DISCLOSURE**

<p><b>Compiled by</b></p> <p></p> <p>.....</p> <p><b>J W Chetty</b> <b>Mechanical Engineer</b></p> <p>Date: <u>15 / 09 / 2020</u>.....</p>	<p><b>Approved by</b></p> <p></p> <p>.....</p> <p><b>B Ntshuntsha</b> <b>Chief Engineer (Lines)</b></p> <p>Date: <u>30/10/2020</u>.....</p>	<p><b>Authorised by</b></p> <p></p> <p>.....</p> <p><b>R A Vajeth</b> <b>Snr Manager (Lines) and SCOT/SC/ Chairperson</b></p> <p>Date: <u>30/10/2020</u>.....</p>
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## **EXECUTIVE SUMMARY**

In recent decades, the use of wind turbines, concentrated solar plants and photovoltaic plants have been on the increase as it serves as an abundant source of energy. This document specifies proposed setbacks for wind turbines and the reasons for these setbacks from infrastructure as well as setbacks for concentrated solar plants and photovoltaic plants. Setbacks for wind turbines employed in other countries were compared and a general setback to be used by Eskom was suggested for use with wind turbines and other renewable energy generation plants.

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## **1. INTRODUCTION**

During the last few decades, a large amount of wind turbines have been installed in wind farms to accommodate for the large demand of energy and depleting fossil fuels. Wind is one of the most abundant sources of renewable energy. Wind turbines harness the energy of this renewable resource for integration in electricity networks. The extraction of wind energy is its primary function and thus the aerodynamics of the wind turbine is important. There are many different types of wind turbines which will all exhibit different wind flow characteristics. The most common wind turbine used commercially is the Horizontal Axis Wind Turbine. Wind flow characteristics of this turbine are important to analyse as it may have an effect on surrounding infrastructure.

Wind turbines also cause large turbulence downwind that may affect existing infrastructure. Debris or parts of the turbine blade, in the case of a failure, may be tossed behind the turbine and may lead to damage of infrastructure in the wake path.

This document outlines the minimum distances that need to be introduced between a wind turbine and Eskom infrastructure to ensure that debris and / or turbulence would not negatively impact on the infrastructure and future expansion of infrastructure (lines and substation) as per the long term planning scenario.

Safety distances of wind turbines from other structures as implemented by other countries were also considered and the reasons for their selection were noted. All renewable energy developments are approved by The Department of Environmental Affairs, Forestry and Fisheries (DEFF) in terms of NEMA. The DEFF is aware of the setbacks guideline, however they cannot use it in terms of decision making since the setbacks document has no legal standing in SA and it would be outside of their mandate who have been advised to follow the guidelines herein.

Concentrated solar plants and photovoltaic plants setbacks away from substations were also to be considered to prevent restricting possible power line access routes to the substation and possible expansion of substations.

## **2. SUPPORTING CLAUSES**

### **2.1 SCOPE**

This document provides guidance on the safe distance that a wind turbine should be located from any Eskom power line or substation. Although it is not based on any legislative requirement, it is deemed important that Eskom's infrastructure and future network expansion planning is not impeded. The document specifies proposed setback distances for transmission lines (220 kV to 765 kV), distribution lines

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(66 kV to 132 kV) and all Eskom substations. Proposed setbacks for concentrated solar plants and photovoltaic plants are also specified away from substations.

### **2.1.1 Purpose**

Setbacks for wind turbines and power lines / substations are required for various reasons. These include possible catastrophic failure of the turbine blade that may release fragments and which may be thrown onto nearby power lines that may result in damage with associated unplanned outages. Turbulence behind the turbine may affect helicopter flight during routine Eskom live line maintenance and inspections that may lead to safety risk of the aircraft / personnel. Concentrated solar plants and photovoltaic plants setback away from substations were required to prevent substations from being boxed in by these renewable generation plants limiting line route access to the substations and possible future substation expansion.

### **2.1.2 Applicability**

This document is applicable to the siting of all new and existing wind turbines, concentrated solar plants and photovoltaic plants near power lines and substations and in line of site between Eskom telecommunication infrastructure, including future Eskom renewable energy development.

## **2.2 NORMATIVE/INFORMATIVE REFERENCES**

### **2.2.1 Normative**

1. <http://www.envir.ee/orb.aw/class=file/action=preview/id=1170403/Hiiumaa+turbulence+impact+EMD.pdf>.
2. <http://www.energy.ca.gov/2005publications/CEC-500-2005-184/CEC-500-2005-184.PDF>
3. <http://www.adamscountywind.com/Revised%20Site/Windmills/Adams%20County%20Ordinance/Adams%20County%20Wind%20Ord.htm>
4. [http://www.dsireusa.org/incentives/incentive.cfm?Incentive\\_Code=PA11R&RE=1&EE=1](http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=PA11R&RE=1&EE=1)
5. <http://www.wind-watch.org/documents/european-setbacks-minimum-distance-between-wind-turbines-and-habitations/>
6. <http://www.publications.parliament.uk/pa/ld201011/ldbills/017/11017.1-i.html>
7. [http://www.caw.ca/assets/pdf/Turbine\\_Safety\\_Report.pdf](http://www.caw.ca/assets/pdf/Turbine_Safety_Report.pdf)
8. Rogers J, Slegers N, Costello M. (2011) A method for defining wind turbine setback standards. Wind energy 10.1002/we.468

### **2.2.2 Informative**

None

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## 2.3 DEFINITIONS

Definition	Description
Setback	The minimum distance between a wind turbine and boundary line/dwelling/road/infrastructure/servitude etc.
Flicker	Effect caused when rotating wind turbine blades periodically cast shadows
Tip Height	The total height of the wind turbine ie. Hub height plus half rotor diameter (see Figure1)

### 2.3.1 Disclosure Classification

**Controlled disclosure:** controlled disclosure to external parties (either enforced by law, or discretionary).

## 2.4 ABBREVIATIONS

Abbreviation	Description
None	

## 2.5 ROLES AND RESPONSIBILITIES

All parties involved in the positioning wind turbines, concentrated solar plants and photovoltaic plants near power lines/substations should endeavour to follow the setbacks outlined in this guideline.

## 2.6 PROCESS FOR MONITORING

Agreement by Eskom in writing on any encroachment of the setbacks distance should be requested via the Grid Access Unit. Eskom should ensure that every application for renewable energy (RE) developments are informed about the existence of the setbacks document early in the RE planning process to ensure maximum effect. This includes Eskom RE development.

## 2.7 RELATED/SUPPORTING DOCUMENTS

None

## 3. DOCUMENT CONTENT

### 3.1 INTERNATIONAL SETBACK COMPARISON

Wind Turbine setbacks employed by various countries were considered. It was found that setbacks were determined for various reasons that include noise, flicker, turbine blade failure and wind effects as well as

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future network expansion planning. The distances (setbacks) varied based on these factors and were influenced by the type of infrastructure

Wind turbine setbacks varied for roads, power lines, dwellings, buildings and property and it was noted that the largest setbacks were employed for reasons of noise and flicker related issues [1-7]. Very few countries specified setbacks for power lines.

The literature survey [1-7], yielded information about studies and experiments were conducted to determine the distance that a broken fragment from a wind turbine might be thrown. Even though of low probability of hitting a power line [ $5.0 \times 10^{-5}$  <sup>[8]</sup>], the distances recorded were significant [750m <sup>[8]</sup>]

Wind turbines may also cause changes in wind patterns with turbulent effects behind the hub. These factors influence the wind turbine setbacks specified in this document.

Setbacks were thus introduced to prevent any damage to Eskom infrastructure and impedance to operation and future network expansion planning.

Renewable energy plant can also limit access into substations for power lines of all voltages. A setback distance should therefore be employed to prevent substations from being boxed in by these generation plants and preventing future network expansion. These setback distances are specified in this document.

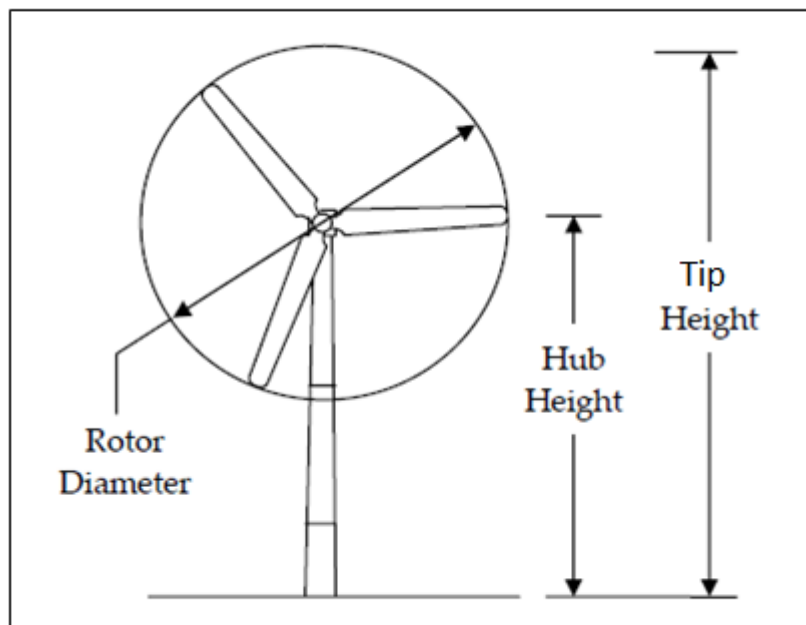
### **3.2 ESKOM RECOMMENDED SETBACKS**

Any renewable energy applicant should engage with Eskom to determine if their plant layout or positioning of turbines, CSP or PV infrastructure would encroach on the proposed setbacks provided for in this guideline and to ensure that their planning and Eskom's future expansion planning is taken into account. Eskom must inform all renewable energy developers, including Eskom RE, of the existence of the setbacks guideline early in the development process. Should there be an encroachment, a formal request should be sent to and accepted by Eskom in writing if any of the below mentioned setback distances are infringed upon:

- Eskom requests a setback distance of 3 times the tip height of the wind turbine from the edge of the closest Eskom servitude (including vacant servitudes) for transmission lines (220kV to 765kV) and Substations.
- Eskom requests a setback distance of 1 times the tip height of the wind turbine from the edge of the closest Eskom servitude (including vacant servitudes) for distribution lines (66 kV to 132 kV) and Substations.

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- A written request should be sent to Eskom via the Grid Access Unit regarding any proposed wind turbine, concentrated solar plants and photovoltaic activity within a 5 km radius of a substation for Eskom to comment on.
- Where concentrated solar plants, photovoltaic structures, battery storage systems (BESS) and other renewable generation plants fall within a 2 km radius of the closest point of a transmission or distribution substation (66kV to 765kV), a written agreement with Eskom is recommended during the planning phase of such plant or structures to ensure Eskom's future planning is not impeded.
- Applicants should not position any wind turbine in the line of site between and two Eskom Radio Telecommunication masts. It should be proven that Eskom radio telecommunication systems (mainly microwave systems) will not be affected in any way by wind turbines due to the criticality of this infrastructure in terms of network operation. Eskom Telecommunications should be engaged on this matter.
- If the position or size of any turbine changes and subsequently infringes on any of the above stated setbacks, a request for relaxation must be sent through to Eskom as per the point mentioned above.



**Figure 1: Horizontal Axis Wind Turbine [2]**

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#### **4. AUTHORISATION**

This document has been seen and accepted by:

<b>Name &amp; Surname</b>	<b>Designation</b>
V Naidoo	Chief Engineer
Dr P Pretorius	Electrical Specialist
J Geeringh	Snr Consultant Environ Mngt
B Haridass	Snr Consultant Engineer
B Ntshunsha	Chief Engineer
R Vajeth	Snr Manager (Lines)
D A Tunncliff	Snr Manager L&R (Acting)
B Branfield	Snr Consultant Engineer

#### **5. REVISIONS**

<b>Date</b>	<b>Rev.</b>	<b>Compiler</b>	<b>Remarks</b>
November 2013	0	J W Chetty	First Publication - No renewable energy generation plant setback specification in existence.
October 2018	1	JW Chetty	Modification to sub-section 3.2 to provide more clarity for application procedure.
June 2020	2	JW Chetty	Content within the guideline was re-worded to explain the benefits of mutual agreements between the applicants and ESKOM rather than the application being a legal obligation.

#### **6. DEVELOPMENT TEAM**

The following people were involved in the development of this document:

Jonathan Chetty (Mechanical Engineer)

Vivendhra Naidoo (Chief Engineer)

Dr Pieter Pretorius (Electrical Specialist)

John Geeringh (Snr Consultant Environ Mngt)

Bharat Haridass (Snr Consultant Engineer)

Riaz Vajeth (Snr Manager (Lines))

Bruce Ntshunsha (Chief Engineer)

David Tunncliff (Snr Manager L&R Acting)

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## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Sunday, 12 September 2021 12:13  
**To:** 'John Geeringh'  
**Subject:** SE2602: Wester Cluster 1 (MTS, REDDING, RIPPON & AEOLUS) - KMZ files  
**Attachments:** WIND GARDEN WF & FRONTEER WF: Confirmation of Information & .KMZ Files;  
Fronteer Wind Farm.kmz; Wind Garden Wind Farm.kmz

Hi John,

No problem. Attached the .KMZs as requested.

Kind regards,



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**Nicolene Venter**

Public Participation and Social  
Consultant

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SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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---

**From:** John Geeringh <[GeerinJH@eskom.co.za](mailto:GeerinJH@eskom.co.za)>  
**Sent:** Thursday, 09 September 2021 08:45  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** RE: SE2602: Wester Cluster 1 (MTS, REDDING, RIPPON & AEOLUS) - KMZ files

Thanks Nicolene, what about the MTS site and Grid connection for the Wind relic sites near Grahamstown, Fronteer and Wind Garden? I thought you were working on that too and that is what I am also looking for? These are all new and in the vicinity where Eskom is looking for a site for a new MTS.

Regards  
John

---

**From:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Sent:** Wednesday, 08 September 2021 15:17  
**To:** John Geeringh <[GeerinJH@eskom.co.za](mailto:GeerinJH@eskom.co.za)>  
**Cc:** Nondumiso Bulunga <[Nondumiso@savannahsa.com](mailto:Nondumiso@savannahsa.com)>; Tumelo Mathulwe <[tumelo@savannahsa.com](mailto:tumelo@savannahsa.com)>  
**Subject:** [CAUTION:EXTERNAL EMAIL] - SE2602: Wester Cluster 1 (MTS, REDDING, RIPPON & AEOLUS) - KMZ files

Hi John,

Attached the requested .KMZ files as requested.

Kind regards,



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**Nicolene Venter**

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SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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**From:** John Geeringh <[GeerinJH@eskom.co.za](mailto:GeerinJH@eskom.co.za)>

**Sent:** Friday, 03 September 2021 14:56

**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>

**Subject:** RE: [CAUTION:EXTERNAL EMAIL] - DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Please send me KMZ files of the proposed grid connection, MTS site and the 4 x WEF footprints. As well as proposed layouts if available.

Kind regards

John Geeringh (Pr Sci Nat) Reg. EAP (EAPASA)  
Senior Consultant Environmental Management  
Grid Planning: Land and Rights  
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**From:** Savannah Environmental Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>

**Sent:** Friday, 03 September 2021 14:42

**To:** John Geeringh <[GeerinJH@eskom.co.za](mailto:GeerinJH@eskom.co.za)>

**Subject:** [CAUTION:EXTERNAL EMAIL] - DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA,  
EASTERN CAPE PROVINCE  
(DFFE Rev. Nos.: To be Issued)**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhandla within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor.

The cluster consists of four (4) separate wind energy facilities and an electrical grid connection infrastructure, which includes, a 400kV Main Transmission Substation (MTS) and two (2) 400kV power lines, to connect the wind farms to the national grid network. The connection points into the national grid network will be the existing Poseidon-Grassridge No.2 400kV power line and the existing Poseidon – Dedisa No.1 400kV power line. The associated infrastructure for each of the wind farms are included in the attached notification letter.

These project sites are located within the Blue Crane Route Local Municipality, Sarah Baartman District Municipality, Eastern Cape Province, and the details of these applications are provided in the attached notification letter.

The attached notification letter also serves to inform you of the availability of the Basic Assessment (BA) Reports for your review and comment and invite you to attend any one of the three (3) online Public Participation Process Meetings. Details regarding these Public Participation Process Meetings are included in the attached notification letter.

We kindly request that you share this information with family members, colleagues or any other party whom you believe would have an interest in these applications.

In terms of the Protection of Personal Information (POPI) Act, 2013 (Act No.4 of 2013), we request that no contact details be provided to Savannah Environmental but rather that those interested and/or affected parties (I&APs) contact our Public Participation Office directly.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and looks forward to your involvement throughout this process.

Kind regards,

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**Nicolene Venter**

Public Process

t: 011 656 3237

f: 086 684 0547

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)

c: +27 (0) 60 978 8396

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Department of Forestry, Fisheries and the Environment



## 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:** 14/12/16/3/3/1/2428

**Enquiries:** Mr Lunga Dlova

**Telephone:** 012 399 9376 **E-mail:** [LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)

Ms Jo-Anne Thomas  
Savannah Environmental (Pty) Ltd  
PO Box 148  
**SUNNINGHILL**  
2191

Telephone Number : 011 656 3237/3251  
Cellphone Number : 082 775 5628  
Email Address : [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

### **PER MAIL / E-MAIL**

Dear Ms Thomas

### **COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED RIPPONN WIND FARM AND ASSOCIATED INFRASTRUCTURE LOCATED NEAR SOMERSET EAST AND COOKHOUSE WITHIN THE BLUE CRANE ROUTE LOCAL MUNICIPALITY AND THE SARAH BAARTMAN DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE.**

The draft Basic Assessment Report (BAR) dated September 2021 and received by this Department on 13 September 2021, refers.

This letter serves to inform you that the following information must be included to the final BAR:

#### **Application form and draft BAR**

1. Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.
2. The listed activities represented in the BAR and the application form must be the same and correct.
3. The BAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for, including impacts and mitigation measures.
4. Please provide coordinates of the corner points of the perimeter of the proposed on-site substation alternative 1 area and the on-site substation alternative 2 area, and all other co-ordinates necessary for the proposed project.
5. If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted.
6. It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property falls within geographically designated areas in terms of the Listing Notice 3 activity/ies.
7. Provide details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.

*MEL*

### **Specialist Assessments**

8. The Heritage Impact Assessment (HIA) must be submitted to South African Heritage Resource Agency for comments. These comments must be must be addressed and incorporated in the final BAR.
9. You are requested to submit copies of original signed Specialist Declaration of Interest forms (completed in full) for all the specialist studies conducted. Please note that the attached Specialist Declaration is for Aeolus Wind Energy Farm project **NOT** Ripponn Wind Farm.
10. All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.
11. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.
12. Ensure that where applicable specialist studies are compiled as per the requirements of GN 320 of 20 March 2020 and GN 1150 of 30 October 2020 unless proof is provided that indicates that those specialist studies were commissioned within 50 days from the gazetting of GN320 and prior to the gazetting of GN1150.

### **Public Participation Process**

13. Comments must be obtained from this Department's Biodiversity Conservation Directorate at the following contact details: [BCAdmin@environment.gov.za](mailto:BCAdmin@environment.gov.za).
14. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
15. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.
16. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR.
17. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
18. All issues raised and comments received during the circulation of the draft BAR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).
19. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
20. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to an I&AP's comments.

### **Environmental Management Programme (EMPr) for Facility**

21. The EMPr must be developed in terms of Appendix 4 of the EIA Regulations, 2014 as amended.
22. The decommissioning chapter of the EMPr for the facility must contain information relating to the handling, repurposing or disposal of dysfunctional, severely damaged batteries, module and containers.
23. The EMPr must distinguish between impact management actions and impact management outcomes.
24. The EMPr must include all recommendations and mitigation measures recorded in the BAR and specialist studies conducted.

25. The EMPr must include the South African Heritage Resource Agency Chance Finds Protocol, as recommended by the Heritage Impact Assessment.

Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.

The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and not included in the EMPr.

You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority -

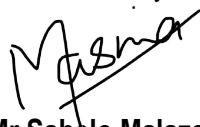
(a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority."

Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days".

Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours sincerely



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**

**Signed by: Ms. Masina Litsoane**

**Designation: Control Environmental Officer: National Infrastructure Projects**

**Date: 13/10/2021.**

CC:	Hylton Cecil Newcombe	Ripponn (Pty) Ltd	Email: <a href="mailto:hylton@windrelic.net">hylton@windrelic.net</a>
	Dayalan Govender	Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)	Email: <a href="mailto:Dayalan.govender@DEDEA.gov.za">Dayalan.govender@DEDEA.gov.za</a>
	Thabiso Klass	Blue Crane Route Local Municipality	Email: <a href="mailto:mmanager@bcm.gov.za">mmanager@bcm.gov.za</a>



Department of Forestry, Fisheries and the Environment

Directorate: Biodiversity Conservation



## 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, Pretoria, Tel: +27 12 399 9000, Fax: +27 86 625 1042

**Reference:** Western cluster Wind farm  
**Enquiries:** Ms. Aulicia Maifo/Mrs. Portia Makitla  
**Telephone:** 012 399 9411/9627 **E-mail:** [pmakitla@environment.gov.za](mailto:pmakitla@environment.gov.za)

Mr. Tumelo Mathulwe  
Savannah Environment (Pty) Ltd  
PO Box 148  
**SUNNINGHILL**  
2157

Telephone Number: 011 656 3237

Email Address: [publicparticipation@savannahsa.com](mailto:publicparticipation@savannahsa.com)

### PER E-MAIL

Dear Mr. Mathulwe

### COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED HAMLETT WIND FARM AND RIPPON WIND FARM, EASTERN CAPE PROVINCE

The Directorate: Biodiversity Conservation has reviewed and evaluated the report. Based on the information provided in the report and specialists studies also the pre-construction monitoring report, the proposed projects are not considered to result in any fatal flaws and with mitigation measures the proposed projects impacts can be mitigated to acceptable level.

Notwithstanding the above the following are recommendations that must be considered to minimize loss of biodiversity:

- High sensitive areas in close proximity to the development footprint must be demarcated as no-go area i.e. Critical Biodiversity Area (CBA), Ecological Support Area (ESA);
- Alien Invasive Plant (AIP) Management and Control Plan must be designed and implemented to prevent further loss of floral habitat and diversity as AIPs displace native species; and
- Erosion Management Plan, Maintenance Plan and Rehabilitation Plan of natural vegetation must be developed to mitigate on habitat degradation and consider all phases of the development.



**Batho pele-** putting people first

**COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED HAMLETT WIND FARM AND RIPPON WIND FARM, EASTERN CAPE PROVINCE**

NB: The Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; [BCAdmin@environment.gov.za](mailto:BCAdmin@environment.gov.za) for attention of Mr. Seoka Lekota.

Yours faithfully



**Mr Seoka Lekota**

**Control Biodiversity Officer Grade B: Biodiversity Conservation**

**Department of Forestry, Fisheries & the Environment**

**Date: 26/10/2021**



DEDEA

## Savannah Public Process

---

**From:** Siyabonga Gqalangile <Siyabonga.Gqalangile@dedea.gov.za>  
**Sent:** Tuesday, 26 October 2021 11:34  
**To:** Savannah Public Process  
**Subject:** RE: SE2602: FW: Hamlett Wind Farm; and Rippon

Hi Nicolene

I recall the meetings we had regarding these WEF projects and as a result I do not think the meeting is still necessary.

---

**From:** Savannah Public Process <publicprocess@savannahsa.com>  
**Sent:** Monday, 25 October 2021 10:17  
**To:** Siyabonga Gqalangile <Siyabonga.Gqalangile@dedea.gov.za>  
**Subject:** SE2602: FW: Hamlett Wind Farm; and Rippon  
**Importance:** High

Dear Siyabonga,

Just following up on our e-mail correspondence below.

I cannot trace the WEF Task Team's response and believe it might still be in cyberspace.

If you did respond, would you kindly attach your response to this e-mail.

Also, I tried to call you on your mobile (082 818 6268) but could unfortunately not leave a message.

Looking forward to hear from you.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

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**From:** Savannah Public Process  
**Sent:** Wednesday, 20 October 2021 14:58  
**To:** Siyabonga Gqalangile <[Siyabonga.Gqalangile@dedea.gov.za](mailto:Siyabonga.Gqalangile@dedea.gov.za)>  
**Subject:** RE: Hamlett Wind Farm; and Rippon

Dear Siyabonga,

Good to hear from you!

The project team is available to meet a time suitable to your Department (the WEF Task Team) this coming Friday, 22 October 2021 or latest Monday, 25 October 2021 as the comment period for these two projects' BA Reports is ending on **Tuesday, 26 October 2021**.

Just to confirm, the Hamlett Wind Farm and Rippon Wind Farm were presented to the Department on Wednesday, 15 September 2021 – please refer to the meeting notes and presentation attached for ease of reference.

Is a meeting still required?

Kind regards,



t: +27 (0)11 656 3237  
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**Nicolene Venter**

Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

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**From:** Siyabonga Gqalangile <[Siyabonga.Gqalangile@dedea.gov.za](mailto:Siyabonga.Gqalangile@dedea.gov.za)>  
**Sent:** Wednesday, 20 October 2021 12:05  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Hamlett Wind Farm; and Rippon

Hi Nicole

Could you please give me your dates suitable for a 2-4 hr session where we would be dealing with the

- Hamlett Wind Farm; and
- Rippon Wind Farm .

As the province we have established a WEF Task Team to collectively review or listen to presentation and provide consolidated comments, hence I request your suitable dates to give a presentation to this structure as you previously did.

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Eastern Cape Parks & Tourism Agency



Enq: Malaika Koali-Lebona  
Ref: Cluster of Renewable Energy  
Email: [Malaika.Koali-Lebona@ecpta.co.za](mailto:Malaika.Koali-Lebona@ecpta.co.za)  
Date: 06 October 2021

Savannah Environmental

For attention: Ms. J. Thomas

Delivered via e-mail: [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

Dear Ms. Thomas

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE**

The Eastern Cape Parks and Tourism Agency (ECPTA) confirms that Bokdam property is in the process of being declared as a Protected Environment in terms of NEM:PAA, subsequently, the property has been submitted to the MEC: Economic Development Environmental Affairs and Tourism for intention to be declared as a Protected Environment.

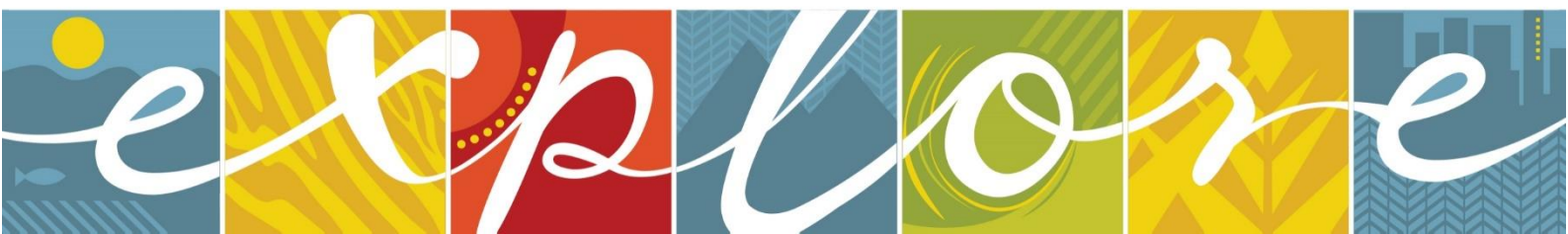
Yours sincerely,



**Malaika Koali-Lebona (Mr.)**

**Manager: Biodiversity Stewardship**

Received by (full name and signature):	Date:



## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Tuesday, January 5, 2021 1:14 PM  
**To:** 'Shanè Gertze'  
**Cc:** Malaika Koali-Lebona  
**Subject:** CLUSTER OF RENEWABLE ENERGY FACILITIES: .KMZ of project localities  
**Attachments:** SE2602-Affected properties - I&AP Distribution (Dec 2020).kmz

Dear Shanè,

Firstly, please accept our apologies for the delay in providing the Eastern Cape Parks & Tourism Agency with the request .KMZ file.

Attached the .KMZ file as requested.

Shanè, it will be appreciated if you can provide us with the following information (data files/shape files/link to applicable page on your website):

- Informal and/or private nature reserves within the study area of the above-mentioned developments in the Eastern Cape; and
- A .KMZ file for Kwandwe Private Nature Reserve. It was brought under our attention that the information we obtained from the DEFF (DEA) database is incorrect.

Kind regards,

---

**From:** Shanè Gertze  
**Sent:** Thursday, December 3, 2020 3:02 PM  
**To:** Savannah Public Process <publicprocess@savannahcapetourism.co.za>  
**Cc:** Malaika Koali-Lebona <malaika@ecpa.co.za>  
**Subject:** FW: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

Hi Nicolene

Can you please a kml/kmz file of the localities for this proposed project.

Many thanks,

**Shanè Gertze**  
Environmental Planner

17-25 Oxford Street, East London, 5201  
PO Box 11235, Southernwood, East London, 5213

*Eastern Cape*  
PARKS & TOURISM AGENCY

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**From:** Public Process [<mailto:publicprocess@savannahsa.com>]

**Sent:** 17 November 2020 05:05 PM

**To:** Andre Van der Spuy

**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA,  
EASTERN CAPE PROVINCE**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhandanda within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor. The cluster consists of nine (9) projects which includes six (6) wind farms, two (2) solar energy facilities and one (1) Main Transmission Substation (MTS). A suitable project site for each development has been identified by the project development companies and the entire extent of the projects is located within the Sarah Baartman District Municipality. The western section is located within the Blue Crane Route Local Municipality and the eastern section within the Makana Local Municipality.

Please find attached the Background Information Document which provides additional information regarding the application for the six (6) wind energy facilities, the two (2) solar energy facilities and the 400MW Main Transmission Substation.

We kindly request you to complete the attached stakeholder registration and comment form to formally register on the project databases and indicate in which of the nine (9) projects (or all) your interest lies.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and look forward to your involvement throughout this process.

Kind regards,

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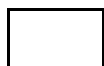


t: 011 656 3237  
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## INTERESTED AND AFFECTED PARTIES

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Tuesday, February 23, 2021 1:59 PM  
**To:**  
**Subject:** RE: public participation notice.

Dear Sir,

This e-mail serves to confirm our telephone discussion a few minutes ago in which I requested your name and surname to register you on the projects' databases and to inform you of the availability of the Basic Assessment Reports.

You informed us that there is no need to obtain your information and that the matter can be considered attended to.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

Nicolene Venter  
**Public Process**

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c: +27 (0)60 978 8396

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---

**From**  
**Sent:** Thursday, November 12, 2020 11:29 AM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** public participation notice.

I suggest that your half page advert in The Herald today is possibly not legal. The headline refers to an area between Somerset East and a town that I believe no longer exists. Perhaps you should consult your lawyers on the matter to ascertain the correctness of the issue.

Sent from my Galaxy

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Wednesday, November 18, 2020 4:32 AM  
**To:** Jessica Els; jadon@red-cap.co.za  
**Cc:** Ronald Baloyi  
**Subject:** RE: Development of a Cluster of Renewable Energies Between Somerset East and Grahamstown, Eastern Cape

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Jessica Els	
	Ronald Baloyi	Delivered: 11/18/2020 4:32 AM

Dear Jadon,

Hope you are keeping well!

Jadon, as requested by Jessica below, please see the release code below.

Kind regards,

---

**From:** Jessica Els  
**Sent:** Tuesday, November 17, 2020 2:35 PM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Cc:** Ronald Baloyi <Ronald@savannahsa.com>  
**Subject:** Re: Development of a Cluster of Renewable Energies Between Somerset East and Grahamstown, Eastern Cape

Hi Nicolene

Please can you send the release code to Jadon as well?

Thanks  
Jessica

On Tue, Nov 17, 2020 at 1:19 PM Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

Hi Jessica,

Correct – we have schedule the release of the BID today.

Herewith the release code: **3dLVEW**

Kind regards,

---

**From:** Jessica Els  
**Sent:** Monday, November 16, 2020 8:18 AM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Cc:** Ronald Baloyi <[Ronald@savannahsa.com](mailto:Ronald@savannahsa.com)>  
**Subject:** Re: Development of a Cluster of Renewable Energies Between Somerset East and Grahamstown, Eastern Cape

Hi Nicolene

Thanks - I trust you had a good weekend.

Will we receive a unique code to view the public documents on your site?

Kind regards

Jessica

On Fri, Nov 13, 2020 at 8:49 PM Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

Hi Jessica,

We herewith acknowledge receipt of Jadon's registration and please find attached proof of registration.

Kind regards,

---

**From:** Jessica Els  
**Sent:** Friday, November 13, 2020 2:42 PM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Cc:** Ronald Baloyi <[Ronald@savannahsa.com](mailto:Ronald@savannahsa.com)>  
**Subject:** Re: Development of a Cluster of Renewable Energies Between Somerset East and Grahamstown, Eastern Cape

Hi Nicolene



My colleague asked that you register him as well, please. Attached is his form.

Kind regards

Jessica

On Fri, Nov 13, 2020 at 9:54 AM Jessica Els wrote:

Hi Nicolene

Thank you so much. Please see attached.

Kind regards

Jessica

On Thu, Nov 12, 2020 at 3:42 PM Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

Dear Jessica,

Thank you for your request below.

Would you please be so kind and complete the attached registration form and return to us via e-mail.

Kind regards,

t: 011 656 3237  
f: 086 684 0547

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

---

**From:** Jessica Els  
**Sent:** Thursday, November 12, 2020 10:36 AM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Re: Development of a Cluster of Renewable Energies Between Somerset East and Grahamstown, Eastern Cape

Hi Nicolene

Please could you also add me to the list of I&AP's.

Thanks

Jessica

On Thu, Nov 12, 2020 at 10:31 AM Jessica Els

wrote:

Hi Nicolene

I trust you are well.

I was just looking at your cluster of renewable energy projects project and was wondering if all the wind farms are being developed by 1 developer or multiple developers?

Kind regards

Jessica

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Tuesday, 05 October 2021 02:52  
**To:** Eugene Adams  
**Cc:** Nondumiso Bulunga; Tumelo Mathulwe  
**Subject:** RE: Info

Tracking:	Recipient	Delivery
	Eugene Adams	
	Nondumiso Bulunga	Delivered: 2021/10/05 02:52
	Tumelo Mathulwe	Delivered: 2021/10/05 02:52

Dear Mr Adams,

Your e-mail has been forwarded to the applicant for the cluster of wind farms and solar developments near Makhanda and Somerset East.

Please be informed that construction of renewable energy projects are not part of Savannah Environmental's scope of work as we are appointed to conduct the environmental studies associated with these developments.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**

Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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This email has been scanned for viruses and malware, and automatically archived by **Mimecast SA (Pty) Ltd**, and is believed to be clean.

---

**From:** Eugene Adams <[ebadamd.ea@gmail.com](mailto:ebadamd.ea@gmail.com)>  
**Sent:** Monday, 04 October 2021 21:11  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Info

Hi

I have worked as surveyor at Hopefield windfarm, Oyster bay windfarm in eastern cape and Karusa/Soetwater windfarm in northern cape. Setting out of roads, bulk earthworks for busses and storm water crossings etc...

Kind regards

Eugene Adams

ECS Pty Ltd

[ebadamd.ea@gmail.com](mailto:ebadamd.ea@gmail.com)

074 462 5303

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Wednesday, November 18, 2020 1:13 PM  
**To:**  
**Cc:** Ronald Baloyi  
**Subject:** RE: Registration as an IAP for Development of a Cluster of Renewable Energies Between Somerset East and Makhandha, Eastern Cape  
**Attachments:** EASPE-HOBSON Stevon (2020.11.18).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Ronald Baloyi	Delivered: 11/18/2020 1:13 PM

Dear Stevon,

Please receive herewith confirmation that you are registered as an interested and affected party on the above-projects databases as requested.

Would you please be so kind and complete the attached registration form by indicating in which project (or all projects) you would like to register for.

Kind regards,

---

**From:** Stevonh@easpe.co.za  
**Sent:** Wednesday, November 18, 2020 8:44 AM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Subject:** Registration as an IAP for Development of a Cluster of Renewable Energies Between Somerset East and Makhandha, Eastern Cape

Good Morning Nicolene

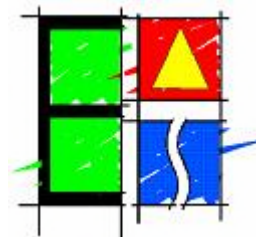
I trust this finds you well.

I would like to register as an Interested and Affected Party for the Development of a Cluster of Renewable Energies Between Somerset East and Makhandha, Eastern Cape Project.

As an Eastern Cape resident I have a keen interest in the development of the province and these projects could bring much needed development and jobs to the region.

Regards,

**Stevon Hobson**  
**Engineering Advice & Services (Pty) Ltd**



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## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Wednesday, November 18, 2020 1:06 PM  
**To:**  
**Cc:** Tsheko Ratsheko; Ronald Baloyi  
**Subject:** Interest in renewable energy projects: Confirmation of Registration  
**Attachments:** ARMINCO-BRITCHFORD Grahame (2020.11.18).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Tsheko Ratsheko	
	Ronald Baloyi	Delivered: 11/18/2020 1:06 PM

Dear Grahame,

Please receive herewith confirmation that you are registered as an interested and affected party on the above-projects databases as requested.

Would you please be so kind and complete the attached registration form by indicating in which project (or all projects) you would like to register for.

Kind regards,

---

**From:** grahame@armincopiping.com  
**Sent:** Wednesday, November 18, 2020 9:31 AM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Cc:** Tsheko Ratsheko  
**Subject:** Interest in renewable energy projects

Good day

I would like to register on this platform in order to participate in public commentary and to gain more information on renewable energy projects.

My company is a specialist piping fabricator and constructor and we, as a team, would like to engage in more renewable energy projects as opportunities present themselves. Our interests lie in wind, Solar and gas to power projects.

Many thanks

Warmest Regards

Grahame Britchford

 **arminco**  
ARMINCO PIPING PROJECTS  
Project Managers; Fabricators and Constructors  
A Level 2 B-BBEE Contributor



## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Thursday, November 26, 2020 3:33 AM  
**To:** Taylor Shaun  
**Cc:** Nicolene Venter; Ronald Baloyi; savannahenvironmentalsa@gmail.com; Nicolene Venter  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes  
**Attachments:** SE2602 Wind Relic BID (Eng).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Taylor Shaun	
	Nicolene Venter	Delivered: 11/26/2020 3:33 AM
	Ronald Baloyi	Delivered: 11/26/2020 3:33 AM
	savannahenvironmentalsa@gmail.com	
	Nicolene Venter	

Dear Shaun,

The applicants are:

<b>Project Name</b>	<b>Hamlett Wind Farm</b>	<b>Ripponn Wind Farm</b>	<b>Redding Wind Farm</b>	<b>Aeolus Wind Farm</b>	<b>Wind Garden Wind Farm</b>	<b>Fronteer Wind Farm</b>	<b>REDZ 3 Power Corridor 400MTS</b>	<b>Solaris Fields Solar Energy Facility</b>	<b>Sun Garden Solar Energy Facility</b>
Applicant	Hamlett (Pty) Ltd	Ripponn (Pty) Ltd	Redding Wind (Pty) Ltd	Aeolus (Pty) Ltd	Wind Garden (Pty) Ltd	Fronteer (Pty) Ltd	Wind Relic (Pty) Ltd	Solaris Fields (Pty) Ltd	Sun Garden (Pty) Ltd

Please find attached the Background Information Document which will provide enel with additional information regarding the proposed developments.

It will be appreciated if you can please complete the attached registration form by indicating in which (or all) of the projects your interest lies.

Kind regards,

---

**From:** Taylor Shaur  
**Sent:** Saturday, November 21, 2020 1:52 PM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Cc:** Nicolene Venter <nicolene@savannahsa.com>; Ronald Baloyi <Ronald@savannahsa.com>; savannahenvironmentalsa@gmail.com; Nicolene Venter <nicolene@savannahsa.com>  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

Thank you Nicolene

Could you please provide details about who the applicant is?

Regards



Shaun Taylor  
Pr. Nat. Sci (Reg No: 118409)  
Environment, Archaeology & Biodiversity  
South Africa



102 Rivonia Road, Sandton  
2196, Johannesburg

---

**From:** Public Process [<mailto:publicprocess@savannahsa.com>]

**Sent:** Wednesday, 18 November 2020 01:50

**To:** Taylor Shaun Taylor Shaun

**Cc:** [nicolene@savannahsa.com](mailto:nicolene@savannahsa.com); [ronald@savannahsa.com](mailto:ronald@savannahsa.com); [savannahenvironmentalsa@gmail.com](mailto:savannahenvironmentalsa@gmail.com); Nicolene Venter <[nicolene@savannahsa.com](mailto:nicolene@savannahsa.com)>

**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA,  
EASTERN CAPE PROVINCE**

Dear Shaun,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhanda within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor. The cluster consists of nine (9) projects which includes six (6) wind farms, two (2) solar energy facilities and one (1) Main Transmission Substation (MTS). A suitable project site for each development has been identified by the project development companies and the entire extent of the projects is located within the Sarah Baartman District Municipality. The western section is located within the Blue Crane Route Local Municipality and the eastern section within the Makana Local Municipality.

As per your telephone request to our colleague, Gideon Raath, yesterday afternoon to be registered on the above-mentioned projects, please find attached the Background Information Document which provides additional information regarding the application for the six (6) wind energy facilities, the two (2) solar energy facilities and the 400MW Main Transmission Substation.

We kindly request you to complete the attached stakeholder registration and comment form to formally register on the project databases and indicate in which of the nine (9) projects (or all) your interest lies.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and look forward to your involvement throughout this process.

Kind regards,



t: 011 656 3237  
f: 086 684 0547

**Nicolene Venter**  
Public Process

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Tuesday, December 1, 2020 4:10 AM  
**To:** Sam Ralston  
**Cc:** Nicolene Venter; Ronald Baloyi  
**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Confirmation of Registration  
**Attachments:** SE2602 Wind Relic, Solar & Grid Notification I&APs-FINAL.pdf; SE2602 Wind Relic BID (Eng).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Sam Ralston	
	Nicolene Venter	Delivered: 12/1/2020 4:10 AM
	Ronald Baloyi	Delivered: 12/1/2020 4:10 AM

Dear Samantha,

All well here in Gauteng!

Yes, I can confirm that BirdLife SA is an I&AP on the cluster of project's database.

However, I notice that our BID and notification of commencement of the Basic Assessment processes was not sent as part of the 'campaign' sent on the 17<sup>th</sup> of November 2020.

Attached for BirdLife's attention and information is the BID, including the registration and comment form although we always register BirdLife as a key stakeholder on renewable energy projects.

Samantha, thank you for checking on BirdLife's inclusion on the projects' databases.

The enquiry regarding the Cape Vulture Guidelines Guidelines is forwarded to the EAP for confirmation.

Kind regards,

---

**From:** Sam Ralston  
**Sent:** Monday, November 30, 2020 2:20 PM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Subject:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

Dear Nicole

I hope you are well? I presume that BirdLife South Africa is a I&AP for these projects and that our Cape Vulture Guidelines are being applied, but just double-checking?

Thanks  
Sam

Samantha Ralston-Paton  
Birds and Renewable Energy Project Manager

<http://www.birdlife.org.za>



BirdLife South Africa's Birds and Renewable Energy Project is sponsored by Investec Corporate and Institutional Banking

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---

**From:** Public Process [<mailto:publicprocess@savannahsa.com>]

**Sent:** 17 November 2020 05:05 PM

**To:** Andre Van der Spuy

**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES: Notification of commencement of Basic Assessment and Public Participation Processes

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES  
BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhanda within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor. The cluster consists of nine (9) projects which includes six (6) wind farms, two (2) solar energy facilities and one (1) Main Transmission Substation (MTS). A suitable project site for each development has been identified by the project development companies and the entire extent of the projects is located within the SarahBaartman District Municipality. The western section is located within the Blue Crane Route Local Municipality and the eastern section within the Makana Local Municipality.

Please find attached the Background Information Document which provides additional information regarding the application for the six (6) wind energy facilities, the two (2) solar energy facilities and the 400MW Main Transmission Substation.

We kindly request you to complete the attached stakeholder registration and comment form to formally register on the project databases and indicate in which of the nine (9) projects (or all) your interest lies.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and look forward to your involvement throughout this process.

Kind regards,

[Unsubscribe this type of email](#)

<image001.jpg>

t: 011 656 3237  
f: 086 684 0547

**Nicolene Venter**

Public Process

<0.gif> e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

---

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<SE2602\_Wind\_Relics\_BID\_(Afr).Final.pdf><SE2602-WindRelics\_RegCommForm-FINAL.pdf><SE2602\_Wind\_Relics\_BID\_(Eng)\_Final.pdf><SE2602\_Wind\_Relics,\_Solar\_&\_Grid\_Notification\_I&APs-FINAL.pdf>

# Cape Vulture and Wind Farms

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Guidelines for impact assessment,  
monitoring and mitigation

August 2018



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# Summary and key recommendations

The Cape Vulture is Endangered and endemic to southern Africa. Although to date there have been relatively few Cape Vulture fatalities reported at wind farms in South Africa when compared to other sources of vulture fatality, wind energy has been identified as a potential new threat. Globally, numerous vulture fatalities have been recorded from collisions with wind turbine blades and associated infrastructure. These guidelines therefore provide recommendations for site selection, monitoring, impact assessment and mitigation, to help ensure that expansion of wind energy in Africa does not present a new and serious threat to the species.

BirdLife South Africa recommends that if a wind farm is proposed within the range of Cape Vulture, a stepwise approach to site selection and mitigation should be adopted. The risks and feasibility of the wind farm should be regularly reviewed before deciding to proceed with the next step in the assessment (Figure 1).

## Site Screening (location of wind farms)

The large foraging range of the Cape Vulture (thousands of square kilometres) and the potentially significant impact poorly planned wind farms could have on the species implies that large parts of the Cape Vulture's distribution may be unsuitable for the development of wind turbines. The importance of site screening cannot be overemphasised – negative impacts can be minimised by placing turbines well away from areas regularly used by Cape Vulture.

Site screening can begin with a desktop analysis using existing information but should be complemented by field work.

Site screening should take the following into account:

### a) *The location of the proposed wind farm in relation to the distribution of the Cape Vulture*

See Figure 2, and refer to the Southern African Bird Atlas Project 1 and 2. Areas with high SABAP2 reporting rates for Cape Vulture should be assumed to be of high sensitivity.

### b) *The proximity of the site to Cape Vulture colonies and roosts*

Cape Vultures can be expected to regularly use the air-space within 50 km around their roosts and breeding colonies. Vultures will occur well beyond these zones, but there is a lower probability of them occurring beyond these buffers. The location and status of known breeding colonies and roost sites should be confirmed, and the area surrounding the proposed wind farm should be thoroughly surveyed for previously unrecorded breeding and roost sites. A buffer of approximately 50 km around all colonies, and regular or seasonal/occasional roosts should be considered as high to very high sensitivity (with sensitivity influenced by distance from the roost/colony, as well as its size and location). A buffer of approximately 18 km around breeding colonies should be considered as very high sensitivity.

### c) *Topography and wind-scape*

Increased flight activity and risky behaviour are likely along ridge tops, cliffs, steep slopes and wind corridors. These areas are likely to be of high sensitivity.

### d) *The availability of food in the landscape (including existing supplementary feeding sites)*

Livestock management practices and the availability of carrion around the proposed wind farm should be considered, especially the location of existing vulture restaurants (supplementary feeding sites). Increased flight activity can be expected in the area around active supplementary feeding sites, and between vulture restaurants and roosts or colonies.

### e) *Risk maps (once available)*

Spatial risk assessment models can be developed to predict the presence and flight height of birds. Once available for the Cape Vulture, these maps will provide an additional indication of potential collision-risk.

### f) *The potential for cumulative negative impacts.*

The number of operational and potential wind farms within a radius of at least 100 km of the proposed wind farm should be considered, including the results of pre-construction and operational phase monitoring (where available).

Following consideration of all the above factors, the potential risks and limitations to development should be described and a preliminary indication of sensitivity (from low to very high) should be assigned. At this stage the risk assessment would largely be based on the probability of birds using the area and the risk of cumulative negative effects.

## Data collection and analysis for impact assessment

Site screening relies primarily on existing data and the factors listed above must therefore be interrogated in more detail during the impact assessment process (see Figure 1). If a wind farm is proposed within the distribution of the Cape Vulture, the location and status of all known as well as potential breeding colonies, roost sites and supplementary feeding areas within at least 50 km of the site should be checked. This should first be done during site screening and repeated during the assessment process.

The duration and scope of fieldwork recommended for impact assessment must be guided by site screening (i.e. the preliminary assessment of risk to Cape Vulture) and as more data become available, the recommended approach to data collection and impact assessment should be revisited, and if necessary revised.

Avoidance of high sensitivity and particularly very high sensitivity areas is encouraged, but developers may decide to proceed with data collection to verify the risk. If a wind farm is proposed within high or very high sensitivity areas (i.e. if vultures are likely to occur regularly and/or there is a risk of cumulative negative impacts) data collection must extend beyond the minimum protocols recommend in the BirdLife South Africa/EWT Best Practice Guidelines (Jenkins et al. 2015):

- The duration of monitoring should be at least two years to allow for annual variation and increase statistical rigor.
- Surveys should include the pre-breeding season (late March to early May), and the breeding season (May to December).



- c) A minimum of 72 hours per vantage point per year should be surveyed, and site visits should be timed to account for as much seasonal variation as possible (i.e. a minimum of 6 site visits each year).
- d) All occupied and potential breeding colonies and roost sites within 50 km of the proposed wind farm must be monitored according to standard survey protocols.
- e) The use of technology to study the movements of vultures (e.g. radar, tracking devices, and/or wind current modelling) is strongly encouraged.
- f) The number of bird fatalities that might take place once the wind farm is operational should be estimated using a collision risk model (provided there is sufficient data from the site to support this). However, factors such as topography, bird behaviour, season, aggregation, wind direction and wind speed may also affect collision risk and should also be considered in the final assessment of risk.
- g) The risk of cumulative effects should be assessed.

If a site is found to be low or moderate sensitivity after screening, one year of data collection in accordance with the BirdLife South Africa/EWT Best Practice Guidelines (Jenkins et al. 2015), combined with surveys for potential colonies and roosts in surrounding area, may be sufficient. However the scope of data collection should be regularly reviewed and it may be necessary to increase the survey effort if new information suggests the initial sensitivity rating should be increased. Conversely, if data collection suggests that the initial assessment of sensitivity was too high (e.g. all known roosts/colonies are confirmed to be inactive, no new ones are found, and very low/no vulture passage rates are recorded), the duration of data collection could be reduced.

### Mitigation

Mitigation measures must be designed to achieve no net loss of biodiversity. Limited options are available for mitigation once a wind farm is operational. It is therefore critical that the mitigation hierarchy (i.e. first seek to avoid and then minimise risk) is adhered to during planning.

- a) Wind farms and wind turbines should not be placed in areas with a high abundance of Cape Vulture, high passage rates, and where topographic features associated with risky flight are found.
- b) Free spinning of turbines under low wind conditions, when turbines are not generating power should be avoided.
- c) The design, location and alignment of new powerlines associated with the wind farm must be optimised to reduce vulture fatalities (collisions and electrocutions). No new powerlines should be permitted within 5 km of a colony. Where deemed necessary (i.e. following assessment by an avifaunal specialist), bird flight diverters should be installed and maintained to minimise collision risk. All new pylon structures must meet Eskom's 'bird-friendly' standards to minimise the risk of electrocution.
- d) Construction of associated infrastructure within 5 km of breeding colonies and roosts, particularly during the breeding season, should be avoided.
- e) Curtailment or shut-down-on-demand may help reduce the risk of collisions, but the feasibility and effectiveness of this approach for the Cape Vulture needs to be monitored and assessed. Shut-down-on-demand does not replace the



CHRIS VAN ROOYEN

*Physical features such as their large wingspan, weight and narrow field of binocular vision compromise vultures' ability to perceive and response to obstacles in their flight path.*

need to first avoid and minimise impacts through the considered location a wind farm and its turbines but could be implemented to minimise the risk of residual negative impacts, or as part of an adaptive management strategy.

- f) The number of livestock and other animal carcasses must be minimised at the wind farm and within nearby areas (e.g. within 2 km). A carcass management plan should be implemented, and birthing of livestock near turbines should not be permitted (alternatively turbines should be curtailed during calving and lambing season).
- g) If the strategic location or removal of supplementary feeding sites is proposed as a mitigation in order to reduce the risk of collisions to acceptable levels a) the mitigation hierarchy must have been exhausted and b) the effectiveness of this approach must be verified during the preliminary avifaunal assessment and impact assessment process. Any new supplementary feeding site must be located and managed so as not to increase risk to the birds.
- h) The effectiveness and desirability of reducing collision risk by stopping the supply of food at existing supplementary feeding sites must be verified during the preliminary avifaunal assessment or impact assessment process.

The Environmental Management Programme for any wind farm where there is a potential risk of vulture fatalities should include clear impact management objectives, outcomes and actions that may be necessary to address this risk.

### Monitoring (construction and operational phase) and adaptive management

The duration and extent of operational phase monitoring should be increased for wind farms if there is a risk of multiple Cape Vulture fatalities (i.e. the site is located in a high or very high sensitivity area):

- a) Vantage point monitoring should continue through construction. Monitoring Cape Vulture presence and movements may be recommended throughout operation as part of an adaptive management strategy.
- b) Breeding colonies and roost sites should continue to be monitored (where possible in collaboration with NGOs, state conservation agencies, and other wind farm operators in the area).

- c) Carcass surveys must begin as soon as the first few turbines are turning (i.e. 10% of the turbines have been erected and are rotating) and should continue through the lifespan of the project.
- d) If new powerlines are built, operational phase monitoring should extend to include the powerline – bird flight diverters should be checked (and if necessary, replaced) and the area beneath the line should be surveyed for fatalities.

Cape Vulture fatalities should be photographed, the GPS coordinates and estimated wind speed recorded, and immediately reported to BirdLife South Africa, EWT, VulPro, the Department of Environmental Affairs (DEA) and relevant conservation authorities, and a mitigation strategy should be proposed. Injured birds must be transported to the nearest

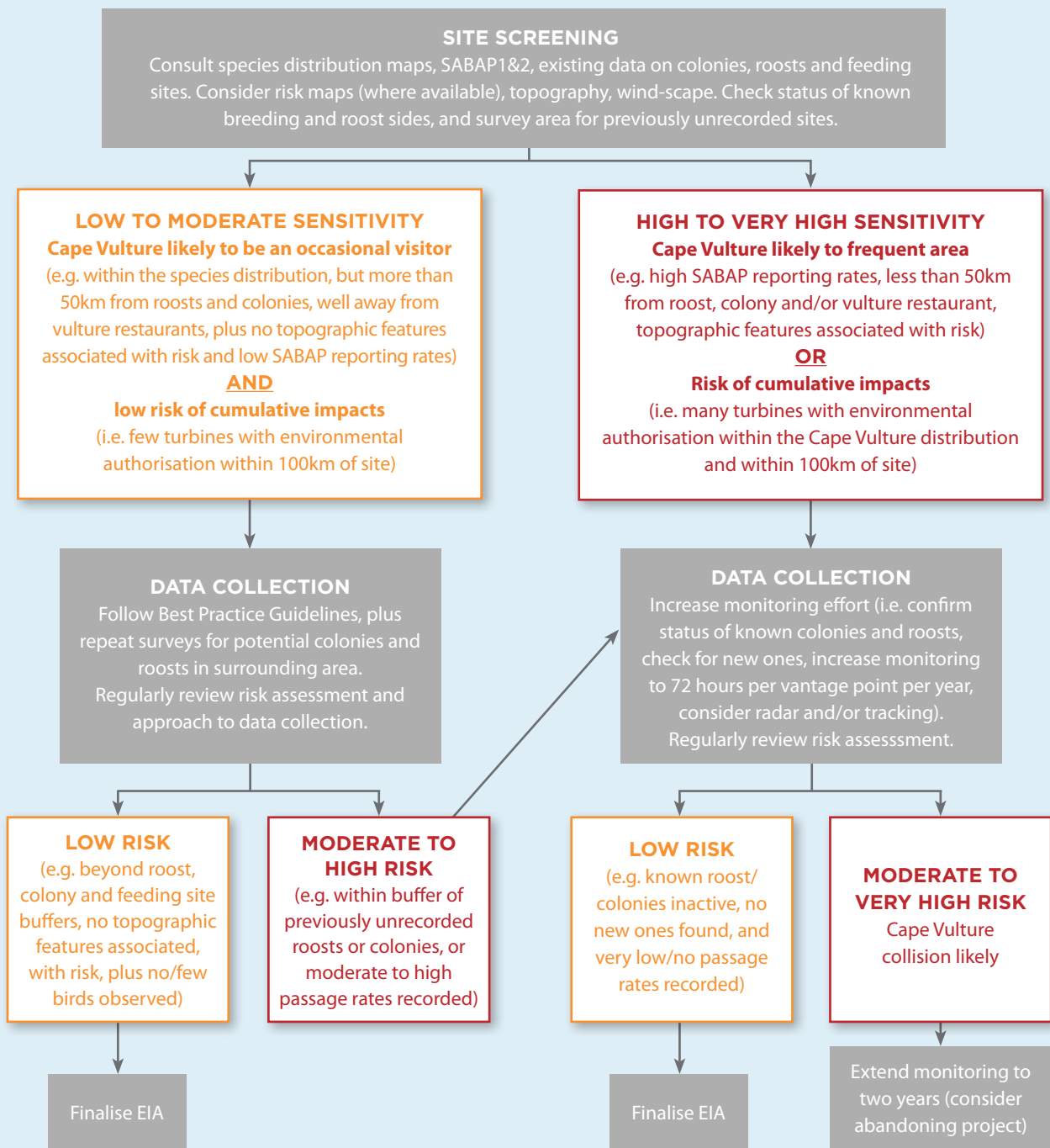
certified wildlife rehabilitation centre for treatment.

Wind farms are encouraged to go beyond demonstrating no net loss and should aim to achieve a net positive gain for the species. Once the mitigation hierarchy has been exhausted, residual impacts could be compensated through off-site conservation action.

**Conclusion**

These guidelines draw on our current understanding of the Cape Vulture, supplemented by research on vultures and wind farms in Europe. These recommendations will be periodically reviewed and updated. With the implementation of the guiding principles outlined in this document we believe it is possible to develop wind energy in South Africa without negatively affecting the conservation status of Cape Vulture.

Figure 1. Decision tree outlining the recommended approach to site screening, data collection and impact assessment.



# Cape Vulture and Wind Farms: Guidelines for impact assessment, monitoring, and mitigation

## 1. INTRODUCTION

The demand to produce energy from renewable resources has increased alongside global energy consumption (Saidur et al. 2011). This form of energy production can help reduce carbon emissions – a long-term goal for many countries and an effective way to mitigate the effects of global climate change on biodiversity (Leung and Yang 2012). However, some renewable energy installations can have detrimental environmental impacts (Drewitt and Langston 2006, Gove et al. 2013, Loss et al. 2013, Rydell et al. 2016). Of particular concern is that threatened raptors may experience negative impacts if they collide with wind turbines and associated infrastructure (de Lucas et al. 2012a, Pagel et al. 2013).

The Cape Vulture *Gyps coprotheres* is considered a high priority species for impact assessment and mitigation at wind farms in South Africa. This is because of the predicted risk of collisions (due to their size, behaviour and habitat use), conservation status, and overlap with proposed and operational wind farms (Retief et al. 2013, Ralston-Paton et al. 2017).

The Cape Vulture is endemic to southern Africa (Mundy et al. 1992) and has the smallest distribution of any Old-World vulture species (i.e. vultures that inhabit Europe, Asia, and Africa) (Mundy et al. 1992, Piper 2005). In 2015, the Red List status of the Cape Vulture was up-listed to Endangered because the population had decreased by 50% over three generations (Allan 2015, Ogada et al. 2015b). The species currently faces numerous threats including collisions and electrocution with electrical infrastructure, inadvertent poisoning and poaching (Allan 2015, Botha et al. 2017).

There is growing interest in developing wind energy in the Eastern Cape Province, an important area for the Cape Vulture. A number of wind farms are planned, and some are already operational in areas where interactions with Cape Vulture are possible. Cape Vulture occur regularly in at least three Renewable Energy Development Zones (areas where the large-scale development of wind energy will be promoted) (Avisense 2015), as identified in the first phase of the Strategic Environmental Assessment for wind and solar photovoltaic energy in South Africa (SEA) (CSIR 2015).

To avoid adding further pressure to the species, which could contribute to irreversible population declines and local extinctions (Rushworth and Kruger 2014), guidelines are needed to help wind energy develop with the least negative effects on the species. This document provides an overview of our current understanding of the likely impact of wind turbines on the Cape Vulture and offers guidance on how the impacts should be assessed, avoided, mitigated and monitored.

These guidelines focus on a project-based approach, but the importance of thorough strategic environmental assessment cannot be overemphasised. *“The most effective way to detect and avoid severe environmental impacts of wind energy developments is to perform Strategic Environmental Assessments (SEAs) at large spatial scales. SEAs enable strategic planning and siting of wind energy developments in areas with least environmental and social impact whilst maintaining economic*



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*Areas associated with increased flight activity and/or risky behaviour (for example ridge tops, cliffs and steep slopes) should be considered as high sensitivity.*

*benefits”* (Botha et al. 2017). However, it must be noted that BirdLife South Africa does not endorse the outcome of the first phase of the SEA due to the failure of this process to address the cumulative risk to Cape Vulture and other species.

While the effects of wind farms on Cape Vultures have not been well studied, understanding the effect wind turbines have had on European and Asian vultures can provide valuable insights for their African counterparts. Wind farms have been operational in Spain for decades and several articles have been published on factors that might influence the risk of collision for Eurasian Griffon Vulture *Gyps fulvus* (e.g. Barrios and Rodríguez 2004, Carrete et al. 2012, de Lucas et al. 2012a). This species is similar to the Cape Vulture in regard to its flight patterns, behaviour, vision morphology, and colonial cliff breeding strategies (Mundy et al. 1992, Carrete et al. 2012, Martin et al. 2012). These guidelines draw on lessons from these examples, but it is important to note that there are differences in vulture population size, land use, food supply, and human population densities that must be taken into account. As our knowledge grows, the recommendations contained in these guidelines may be amended to reflect our improved understanding of how vultures can flourish alongside increased generation of renewable energy.

These guidelines expand on the recommendations in the BirdLife South Africa/Endangered Wildlife Trust Best Practice Guidelines for Birds and Wind Energy (Best Practice Guidelines) (Jenkins et al. 2015). These documents should therefore be read together.

## 2. POTENTIAL IMPACTS OF WIND ENERGY ON CAPE VULTURE

### 2.1 FATALITIES ASSOCIATED WITH WIND TURBINES AND ASSOCIATED INFRASTRUCTURE

The Cape Vulture is a large bird, weighing on average 9 kg with a wingspan of 2.55 m (Mundy et al. 1992). As a result, they have a high wing load and cannot respond rapidly to obstacles in the air. Gyps vultures (a genus of Old World vulture, which includes Cape Vulture) also have a small frontal binocular field that creates large blind spot areas in the direction of travel (Martin et al. 2012). Tracking data from two adult Cape Vultures captured in the Maluti-Drakensberg area indicate that 61.7% of the recorded flights were less than 100 m above ground level (i.e. potentially within the rotor swept area) (Rushworth and Kruger 2014). Their size, the slope-soaring behaviour, limited visual field, and large foraging range could make Cape Vulture particularly susceptible to collisions with man-made structures such as wind turbines and powerlines (Bamford et al. 2007, Martin 2011, Martin et al. 2012, Rushworth and Krüger 2014).

At the time of writing, few (five) wind farms were operational in areas Cape Vulture had previously been recorded. Cape Vulture fatalities as a result of turbine strikes have occurred at some of these wind farms, and preliminary monitoring data suggests an average fatality rate of approximately 0.03 vultures per turbine per year (Smallie, unpublished data).

Globally numerous vulture fatalities have been recorded from collisions with wind turbine blades and associated infrastructure (e.g. powerlines) (Smallwood and Thelander 2008, Tellería 2009, García-Ripollés and López-López 2011, Camiña 2011, de Lucas et al. 2012a) and it is expected that the Cape Vulture will face a similar risk of collisions (Retief et al. 2013, Rushworth and Krüger 2014). Old World Vultures that have died from collisions with wind turbines include Egyptian Vulture *Neophron percnopterus* and Eurasian Griffon Vulture *Gyps fulvus* (Carrete et al. 2009, Carrete et al. 2012, Ferrer et al. 2012, Martínez-Abraín et al. 2012). There is no evidence that Old World vultures learn to avoid turbine collisions (Johnston et al. 2014, Cabrera-Cruz and Villegas-Patracá 2016), which suggests that they are not only susceptible to collisions when turbines are first installed, but continuously throughout the lifetime of the wind farm (Carrete et al. 2012).

Cape Vulture is a relatively long-lived species, with low reproductive rates. At most a pair will raise one chick a year, and sexual maturity is only reached at 5 years of age (Mundy et al. 1992). The species already faces numerous threats and additional losses as a result of poorly planned wind farms are likely to accelerate population declines. Rushworth and Krüger (2014) calculated that just 80 wind turbines proposed in Lesotho could kill approximately 20-25 Cape Vulture a year. This increased the rate of decline of the local Maluti-Drakensberg Cape Vulture population from -2 % to -3 % per year and brought the predicted time to extinction forward by 80 years (from 220 to 140 years) (Rushworth and Krüger 2014).

The removal of vultures from an area could have negative consequences for the conservation status of the species and could also have implications for the local ecology and human health. The Cape Vulture is an obligate scavenger; it contributes to



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*These guidelines draw on the best available information to help ensure the expansion of wind energy in southern Africa does not present a new threat to Cape Vulture.*

nutrient recycling, prevents possible mammalian disease transmissions, and provides a carbon-neutral waste removal service (Dupont et al. 2012, Ganz et al. 2012, Ogada et al. 2012).

### 2.2 DISTURBANCE, HABITAT LOSS AND DISPLACEMENT

Cape Vulture have been recorded at a few operational wind farms in South Africa (albeit in low numbers) and at this stage there is no evidence of displacement (effective habitat loss) (Ralston-Paton et al. 2017). The large home ranges of the Cape Vulture is likely to buffer any effects of habitat loss associated with the development of wind farms. However, construction activities near a colony may affect breeding success and could lead to a colony being abandoned.

Construction (buildings and fences) and large-scale timber harvesting during the breeding season at the base of a Cape Vulture breeding colony in Botswana was thought to have contributed to low fledgling rates (Borello and Borello 2002). The Nooitgedacht colony (in the Magaliesberg) was abandoned in the 1960's after construction of microwave transmission towers near to the breeding cliffs (Tarboton & Allan 1984, Verdoorn 2004). While small numbers of Cape Vulture continued to use the site as a roost (Verdoorn 1997), no breeding was recorded again until 1991 (Verdoorn 2004). There are now approximately 140 breeding pairs at the site (Wolter and Hirschauer 2016), despite an access road located directly below the breeding cliffs that is still in use (C. Whittington-Jones pers. comm.).

The type and repetitiveness of the disturbance may influence how vultures respond to disturbance. For example, Cape Vulture at Potberg showed increasing agitation as the number of high velocity aircraft flights 5 km from the colony increased (K. Shaw pers. comm.). The quality of the site, availability of other suitable areas, and investment an individual has made in the site are all likely to affect how a species responds (Gill et al. 2001).

### 3. RECOMMENDATIONS FOR SITE SCREENING, IMPACT ASSESSMENT & MITIGATION

A stepwise approach to risk assessment is recommended (Figure 1). This should start with desktop screening where the broad-scale risks associated with developing a wind farm in the broader area are considered and landscape features likely to be associated with high risk are earmarked as sensitive, and preferably eliminated from further consideration for wind turbine development. This should be followed with preliminary data collection, and then detailed site surveys by an avifaunal specialist, where initial predications are tested, and the layout of turbines is finalised. The risks and feasibility of the proposed project should be regularly reviewed through the process.

#### 3.1 SITE SCREENING

The most widely accepted and cost-effective method to prevent wind turbine related fatalities is to place wind turbines in areas where risks to birds is the lowest (de Lucas et al. 2012b, Gove et al. 2013, Marques et al. 2014). For the Cape Vulture this implies that large areas within the species' range may be unsuitable for the development of wind energy. In particular, placing turbines in areas associated with increased flight activity and/or risky behaviour of vultures should be avoided (de Lucas et al. 2012b, Rushworth and Krüger 2014).

If wind farm development is considered within the range of Cape Vulture (as per Figure 2 and the Southern African Bird Atlas Project 2) we recommend that before deciding to proceed with detailed data collection a coarse-scale assessment of the risk to Cape Vulture should be conducted (i.e. site screening). This will give an early indication of potential limitations to development and help reduce risks due to imperfect sampling and stochastic events. Site screening should also be used to determine the appropriate scope of subsequent avifaunal surveys.

Early consultation with the stakeholders (e.g. BirdLife South Africa, VulPro, the Endangered Wildlife Trust, ornithologists and conservation authorities) is encouraged, and this should help ensure that the most up-to-date information is considered during this critical step. It is anticipated that a National Vulture Working Group, under the auspices of the Department of Environmental Affairs, will soon be established and would help facilitate the dissemination of relevant information.

If the development of a wind farm is proposed within the range of Cape Vulture, the following should be considered during site screening:

- a) The location of the proposed wind farm in relation to the distribution of the Cape Vulture;
- b) The proximity to known colonies and roosts (and characteristics of these sites);
- c) How the topography and wind-scape might affect collision risk;
- d) The availability of food in the landscape (including existing supplementary feeding sites);
- e) Risk maps (where available);
- f) The potential for cumulative negative impacts.

#### Species distribution

The distribution of the Cape Vulture is limited to southern Africa. The species predominantly occurs in South Africa and Lesotho where the regional population is separated into three

nodes, based on their geographical location (Figure 2). The south-eastern and south-western nodes are most likely to be affected by wind energy given the current spatial distribution of proposed wind farms and Renewable Energy Development Zones. The southwest-node comprises one remnant, isolated breeding colony at Potberg in the Western Cape, while the much larger south-eastern node spans Lesotho and the South African provinces of KwaZulu-Natal and the Eastern Cape. The south-eastern node supports approximately 40 % of the global population (Allan 2015).

Southern African Bird Atlas Project 1 and 2 (SABAP) data should be consulted. **Areas with high SABAP2 reporting rates for Cape Vulture should be assumed to be of high sensitivity**, although the number of atlas lists submitted for a pentad should always be taken into account. However, the converse may not be true – several parts of the species range have limited atlas data, especially in the Eastern Cape, KwaZulu-Natal and Limpopo (Wolter et al. 2017) and the number of checklists for an area must always be considered.

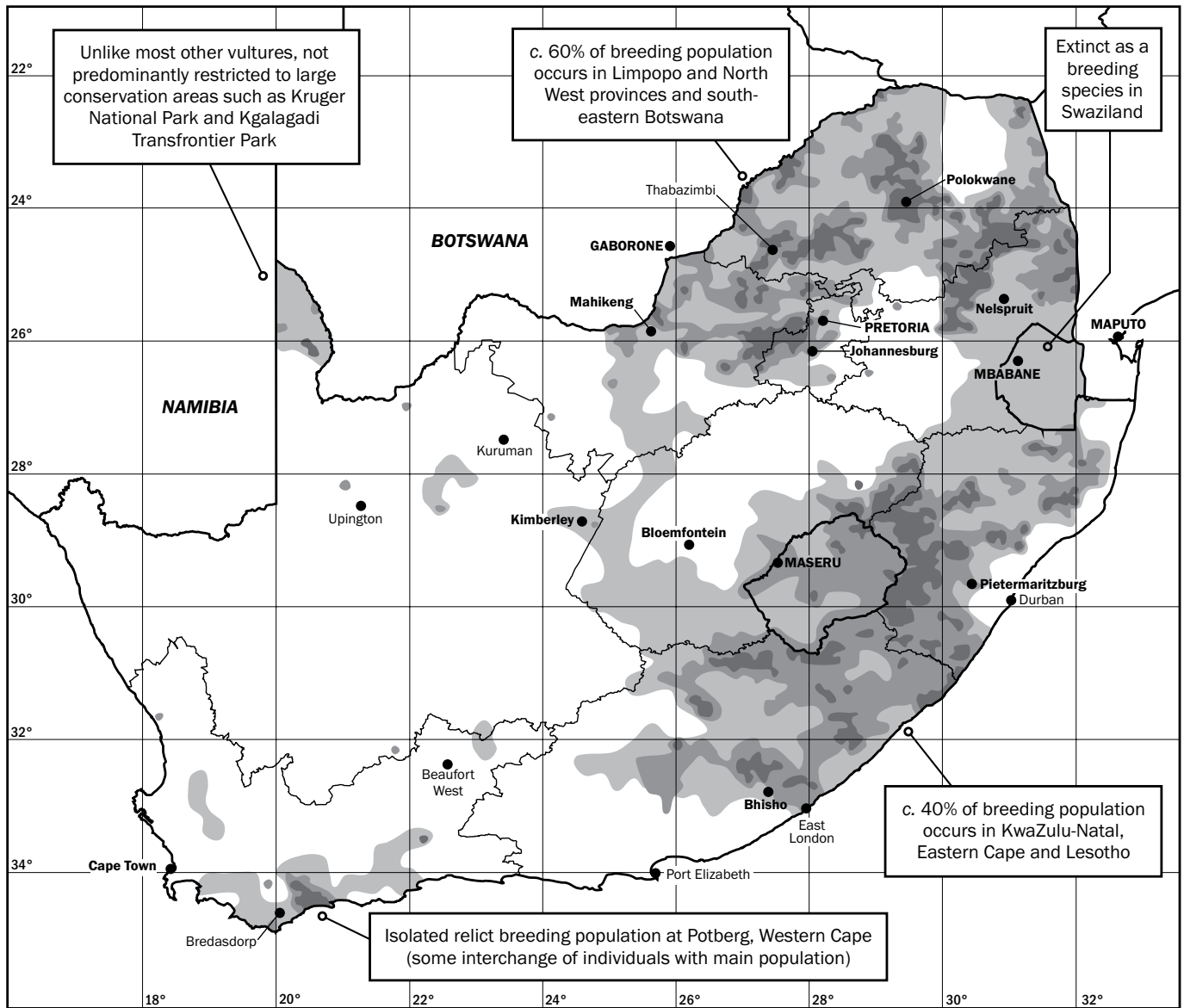
#### Proximity to vulture colonies and roosts

Cape Vultures travel large distances. The average foraging ranges of adult Cape Vultures captured at the Msikaba Cape Vulture Colony, Eastern Cape, covered an area of 16 887 km<sup>2</sup> ( $\pm$  366 km<sup>2</sup>) (Pfeiffer et al. 2015). Adult Cape Vultures captured in the North West Province and Namibia covered much larger areas (121 655  $\pm$  90 845 km<sup>2</sup> and 21 320 km<sup>2</sup> respectively) (Bamford et al. 2007, Phipps et al. 2013b).

Vultures may be at risk of collisions throughout their entire foraging range. However, the Cape Vulture is a communal cliff-nesting raptor and can form large breeding colonies on suitable rock formations (Benson 2015). Vultures also gather in the afternoon to spend the night sleeping at roosts (these can be on a cliff, on pylons, or in trees) (Mundy et al. 1992, Dermody et al. 2011, Pfeiffer et al. 2015). As adult breeding Cape Vulture tend to be central place foragers (i.e. they usually forage within a certain area around a central colony) (Boshoff & Minnie 2011), the risk of collisions is likely to be greatest closest to these sites.

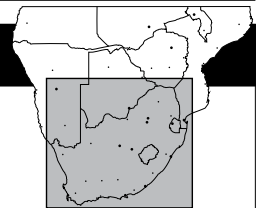
It is therefore useful to consider the core foraging range as the area of greatest risk (e.g. Tellería 2009, Vasilaki et al. 2016). Core ranges can be calculated using fixed kernel density estimates (KDE), a measure of the density of records. For Cape Vulture, 50% KDE has been taken to represent the core utilisation area (this is the area an individual is likely to occur 50% of the time). For example Phipps et al. (2013a) used 50% KDE to delineate the core foraging range of vultures that were fitted with GPS-GSM tracking units and reported that 56% of all known Cape Vulture mortalities caused by power line interactions overlapped with the combined core foraging range of the nine Cape vultures in the study.

Building on previous studies of core foraging areas for Cape Vulture which were limited by small sample size (e.g. Boshoff and Minnie 2011, Rushworth and Kruger 2014, Pfeiffer et al. 2015), Venter et al. (2018) analysed data from 18 adult vultures fitted with GPS/GSM transmitters. These birds occurred in both the northern and southern distribution nodes. The



## CAPE VULTURE *Gyps coprotheres*

- High density distribution, based on SABAP2 data (2007-2014); reporting rate >14%.
- Low density distribution, based on SABAP2 data (2007-2014); reporting rate <14%.
- Smoothed distribution based on SABAP1 data (mainly 1987-1993).



mean radius for the 50% KDE was 49 km (breeding season) and 48 km (non-breeding season).

It is therefore recommended that a buffer of approximately 50km around all colonies, and regular or seasonal/occasional roosts is considered to be of high to very high sensitivity (with sensitivity influenced by distance from the roost/colony and of characteristics of the site).

At the time of writing, multiple Cape Vulture fatalities as a result of turbine strikes had occurred as far as 30 km from a seasonal roost. Three of the four of vulture carcasses that could be aged were sub-adult birds (Smallie, unpublished data).

The recommended buffer around colonies helps protect breeding vultures, as well as young, inexperienced birds. Juvenile Eurasian Griffon Vulture (i.e. less than 2 months from fledging) seem to have a harder time adjusting their flight performance during challenging conditions (such as high winds) and climb slower than adults (Harel et al. 2016). This

**Figure 2.** The distribution of Cape Vulture in South Africa, Lesotho and Swaziland (from Allan, 2015). This map is based on data from the Southern African Bird Atlas Project 1 and 2.

could contribute to an increased probability of collision with wind turbines (Barrios and Rodríguez 2004, de Lucas et al. 2012a). Juvenile birds accounted for the majority of Eurasian Griffon Vulture fatalities (51 % and 74 %) from wind turbine collisions in southern Spain (Barrios and Rodríguez 2004, de Lucas et al. 2012a). Although an opposite trend has been reported for northern Spain, where 75% of the vulture fatalities at wind turbines were adults (Camiña, 2011).

Martens et al. (2018) analysed the movement of juvenile Cape Vultures fitted with GPS/GSM devices in the Eastern Cape. The data indicated that juveniles tend to stay close to the colony for the first 100 days post-fledging; the core area (50% KDE) had an average radius of 18 km. Martens (2017)

also found that the density of roosts for juvenile vultures was highest within 20 kilometres from the breeding colony. A buffer of approximately 18 km around breeding colonies should therefore be considered as very high sensitivity.

A key step in site screening is therefore to **determine the proximity of a proposed wind farm to known breeding colonies or roost sites**. A literature review should be conducted and the appropriate experts (e.g. BirdLife South Africa, EWT, VulPro and other ornithologists) should be consulted. EWT and VulPro both maintain a database of colonies and roosts – to obtain a shape-file contact Gareth Tate (EWT; [gareth@ewt.org.za](mailto:gareth@ewt.org.za)) or Kerri Wolter (VulPro; [Kerri.wolter@gmail.com](mailto:Kerri.wolter@gmail.com)).

Existing data on breeding colonies and roost sites is not always up-to-date and complete. Roosts are also more numerous than breeding colonies, and the sporadic use of these sites can make them difficult to document and monitor (Phipps et al. 2013b). **The status of known breeding colonies and roosts within at least 50 km of a proposed wind farm should therefore be confirmed, and the surrounding area (within approximately 50 km from the site) should be assessed for previously unrecorded sites.**

Potential roosts and colonies should be identified through a combination of a desktop-based GIS survey, local knowledge, and analysis of tracking data (where available). Extensive searching of suitable sites using a spotting scope should follow. Helicopters and drones could potentially be used to survey possible roost and colony sites, however, this should only be considered under the guidance of a vulture specialist, as it could disturb birds and affect breeding success. There are also Civil Aviation Authority restrictions that limit the use of drones. These should be considered and adhered to if this technology is to be used.

Roosts and colonies should be classified according to the following definitions (from Boshoff et al. 2009):

- inactive site (no birds present, no ‘whitewash’ or no fresh or recent ‘whitewash’);
- seasonal/occasional roost (birds present or not present; fresh or relatively fresh ‘whitewash’; used on a seasonal or occasional basis, e.g. summer only);
- regular roost (birds present, fresh ‘whitewash’; birds present throughout all or most of the year);
- roost (status uncertain – either ‘seasonal/occasional roost’ or ‘regular roost’);
- colony (nest building or presence of eggs, nestlings or fledglings).

They should also be described (e.g. man-made or natural). Pylon roosts may be difficult to categorize due to the absence of whitewash. For the purposes of these guidelines a precautionary approach to categorising roosts is therefore recommended.

Topography and wind-scape

**The topography and wind-scape within the vicinity of the proposed wind farm should be assessed and areas associated with increased flight activity and/or risky behaviour (for example ridge tops, cliffs, steep slopes and wind current routes) should be considered as high sensitivity** (de Lucas et al. 2012b, Rushworth and Krüger 2014).

Bearded Vultures *Gypaetus barbatus meridionalis* in Lesotho prefer upper slopes, mountain-tops, and high ridges

## **The use of colony and roost buffers for decision-making, and the relative importance of different colonies and roosts**

The development of wind energy facilities within the recommended 50 km colony/roost buffer (and especially within the 18 km high sensitivity buffer around breeding colonies) is discouraged due to the risk of cumulative negative impacts. While these buffers do not automatically represent a ‘no go’ for wind farm development, they should be used to guide site selection, as well as the scope of data collection for impact assessment. The buffers indicate potential sensitivity; there are some limitations to the use of standard, circular buffers (discussed below), and there are also a number of other risk factors that must be considered in the impact assessment. The risks associated with developing wind turbines both within and outside of these buffers should therefore be subject to further interrogation throughout the process.

### *Size and shape of buffer:*

Birds from different areas may have different foraging ranges (Bamford et al. 2007, Phipps et al. 2013b, Pfeiffer et al. 2015) and size of the core home ranges vary between years (Venter et al. 2018). It is also possible that Cape Vultures from larger colonies have larger core areas to compensate for increased competition close to the breeding colony, as has been observed in some colonial breeding gull species (Corman et al. 2016). Vultures are also unlikely to use a perfectly circular area around a colony or roost (López-López et al. 2013, Phipps et al. 2013b, Pfeiffer et al. 2015). It is therefore important to also consider the additional risk factors (e.g. topography, feeding sites and risk maps) as well as monitoring data gathered for the purposes of impact assessment.

### *Size and location of colonies and roosts:*

The size of the colony or roost is likely to influence the probability of collisions. There also is evidence that breeding success is positively influenced by nest density (Pfeiffer et al. 2017) and large colonies may act as source populations (Boshoff & Minnie 2011). Large colonies therefore warrant the highest level of protection (i.e. very high sensitivity buffers).

The proposed buffers do not take into account the density of birds using a site. In southern Spain large-scale aggregation of vultures (i.e. a measure of the distance between the turbines and colonies or roosts, combined with the number of birds at each site) was found to be a more powerful predictor of collision risk than just distance from breeding colony or roost (Carrete et al. 2012). Spatial aggregation should therefore also be considered when assigning sensitivity.

Although large colonies may be the most critical to protect, it is important to preserve the maximum number of breeding colonies, regardless of the number of breeding pairs they contain. If vulture populations continue to decline, smaller breeding colonies may experience declines in breeding success then abandonment. Small colony desertions would cause range contractions and concentrate breeding attempts at only the biggest colonies, increasing their vulnerability.

A single mass-poisoning incident near one large remnant, breeding colony could further increase the likelihood of extinction (Ogada et al. 2015a). Reducing the number of breeding colonies may also constrict gene flow and produce a genetic bottleneck, which could further accelerate the decline of the species (Bonnell and Selander 1974).

Cape Vultures are also not restricted to roosting at the colony they breed at, and during both the breeding and non-breeding season adult vultures will roost at breeding colonies that are not their 'own' (Pfeiffer unpublished data). All colonies should therefore be regarded as important and warrant protection from the impacts of wind energy.

#### ***Breeding colonies vs. roost sites:***

Colonies hold breeding populations and are therefore important for the persistence of the species and therefore warrant protection (Boshoff & Minnie 2011). Phipps et al. (2013a) argue that colonies are more important to protect than roosts, as roosts can be ephemeral and used by fewer vultures. However, small colonies, where no breeding activity occurs might be considered as roosts, and some historical roosting sites have a few breeding pairs (K. Wolter pers. comm.). Roosts may also enable birds to increase their foraging range, as they are not limited to foraging within flying distance of a colony (K. Shaw. pers. comm.) Some roosts are likely to be more important than others based on their size, how regularly they are used, and how they are used. Roosts further away from colonies may be used differently to roosts close to a colony. Boshoff et al. (2009) reported evidence for the partial migration of Cape Vultures – roosts in the Eastern Cape Midlands were not used during the autumn–winter period (breeding season), but vultures were present during the spring–summer period (non-breeding season). It is unclear how this might affect collision risk or the significance of impacts.

#### ***Abandoned colonies and temporary roosts:***

If colonies or roosts have not been used within the past five years, the appropriateness of implementing buffers should be considered based on the history, importance and potential of the site to be recolonized.

Roosts can be ephemeral and used sporadically (Phipps et al. 2013a). For the purposes of these guidelines it is proposed that the recommended high sensitivity buffers be applied to regular and seasonal roosts. However, temporary roosts may be important and the need for additional survey effort should be carefully considered and revisited throughout the assessment process.

#### ***Beyond buffers:***

The buffers proposed above are unlikely to completely mitigate collision-risk. We know that both adult and juvenile Cape Vulture move much further than the proposed buffers around breeding colonies and roosts (Jarvis et al. 1974, Phipps et al. 2013a, Rushworth and Kruger 2014, Pfeiffer et al. 2015, Martens et al 2018). It is therefore important to also consider the additional risk factors (e.g. topography, feeding sites and risk maps).

(Rushworth and Krüger 2014, Reid et al. 2015). Eurasian Griffon Vultures follow wind currents, which are dictated by local changes in topography and allow the vultures to travel great distances with little energy (de Lucas et al. 2012b). These wind currents are often situated on ridges and cliffs, which provide orographic lift (de Lucas et al. 2012b, Katzner et al. 2012). It is along these wind currents that wind farms often find suitable conditions for generating power (de Lucas et al. 2012b), placing birds at risk of collisions. Collision risk for Eurasian Griffon Vulture also appears to increase with increasing elevation above sea level (de Lucas et al. 2008). The relationship between wind, topography and collision-risk is likely to be similar for Cape Vulture.

#### ***Food availability***

The availability of food can affect the flight height and area used by vultures (Spiegel et al. 2013). The potential availability of carrion in and around the location of a proposed wind farm should be considered during site screening. This assessment should include the location of existing supplementary feeding sites, the type of livestock present in the landscape, management practices, land ownership and the availability of alternative food sources.

A mosaic of land uses is found within the vultures' foraging ranges including commercial and communal farmland, plantations, and protected areas (Pfeiffer et al. 2015). Adult Cape Vultures captured at the Msikaba Cape Vulture Colony, Eastern Cape, preferred communal farmland over commercial farmland and it is assumed that this is because communal farmland offers better foraging opportunities because of numerous livestock deaths (Vernon 1998, Pfeiffer et al. 2015). In contrast, the land use around the Potberg breeding colony in the Western Cape is dominated by commercial sheep farming operations and the breeding colony has persisted (Boshoff and Currie 1981, Boshoff et al. 1984). This suggests that while there may be a preference for communal land, commercial farmland does not preclude the Cape Vulture. The type of livestock present (e.g. cattle vs. sheep) and the potential availability of food as associated with different livestock



MORGAN PFEIFFER

*The type of livestock present in an area, land management practices and land ownership (i.e. communal vs. commercial) all affect the availability of food for vultures, which in turn influences how they use the landscape.*



management practices may also affect how vultures use the landscape (Kevin Shaw, pers. comm).

Supplementary feeding sites are used to provide a supplementary source of carrion to vultures and thus these sites may affect the likelihood of birds being present in an area, their behaviour, and the potential risk of collisions. López-López et al. (2013) found that supplementary feeding sites influenced the movement of Egyptian Vultures in Spain. Surprisingly, areas far away from nesting sites (20–30 km) were used more than some closer sites (< 5 km). The vultures in the study travelled long distances (250 km round trip) to some supplementary feeding sites. Wind farms should therefore not be established close to supplementary feeding sites (and conversely supplementary feeding sites should not be established close to wind farms) (López-López et al. 2013). The appropriate size and shape of the buffer around existing supplementary feeding sites should be influenced by how vultures travel to and from the site, how regularly the site is used, and the location of colonies and roosts in the surrounding area. **Areas between a breeding colony or roost and an established feeding site should therefore be considered as high sensitivity.**



*A Cape Vulture feeds on carrion at a vulture restaurant in the Thomas River Conservancy, Eastern Cape. Supplementary feeding sites provide an additional source of food for vultures and influence the presence and behaviour of vultures in the area. The proximity of a proposed wind farm to supplementary feeding sites should therefore be considered during site screening and impact assessment.*

### Risk maps

Where available, risk maps can provide an additional layer for site screening but do need to be verified using data gathered on the ground. Pfeiffer (2016) used high-resolution tracking data from Cape Vultures in the Eastern Cape Province to predict the probability of vultures flying in the study area and flying at risk height. Average wind speed, distance from conservation priority sites (roost sites, breeding colonies, and supplementary feeding sites) were used to investigate their influence on Cape Vulture flight behaviour) and by using spatial variables to predict vulture presence, a probability map was generated to estimate relative collision risk across the landscape. Reid et al (2015) also developed a spatially explicit model to predict collision risk for Bearded Vulture. It is anticipated that initiatives to map risk collision will continue to improve.

### Cumulative impacts

While it may be theoretically possible to develop wind farms within the foraging range of Cape Vultures, a precautionary approach is strongly advised. **The risk of cumulative negative effects must be considered during site screening (this should be repeated in more detail in the impact assessment**

**process).** As a guideline the number (and where possible impacts) of operational and potential wind turbines (i.e. that have environmental authorisation) within a radius of at least 100 km should be considered during site screening.

## 3.2. IMPACT ASSESSMENT

The duration and scope of fieldwork required to assess the impact should be guided by the potential risk to Cape Vulture as assessed during site screening (i.e. based on the proximity to colonies and roosts, topography, food availability, and risk of cumulative impacts).

If broad scale analysis suggests that there is potential for building a wind farm with minimal negative effects on Cape Vultures, but the site falls within the species' range, the applicant should proceed to detailed data collection for baseline monitoring and impact assessment. This should proceed in accordance with BirdLife South Africa/EWT Best Practice Guidelines (Jenkins et al. 2015) as well as the recommendations of the avifaunal specialist. In addition to this, surveys should be conducted to verify the absence of active (seasonal, occasional or regular) roost sites, colonies and/or supplementary feeding areas within 50km of the site.

Developers may decide to proceed with data collection in areas identified as high or even very high sensitivity during site screening, but these projects should be considered as high-risk investments and are unlikely to have a positive outcome for conservation. Subject to verification through data collection, high sensitivity areas should be considered “critical habitat” and thus most financial institutions should impose stringent requirements before they will support development in these areas (for more see IFC 2012). Data collection in high and very high sensitivity areas should follow the recommendations outlined below.

The assessment of the site sensitivity and the recommended data collection protocols should be regularly reviewed throughout the process, taking into consideration the frequency that Cape Vulture are recorded on site, the availability of food, and other features associated with risk.

All impact assessments should include consideration of the potential impact of associated infrastructure such as power lines and roads on vultures (Botha et al. 2017).

### Data collection within areas of high and very high sensitivity

If a wind energy facility is proposed within a **high sensitivity area** (as assessed in site screening), data collection must extend beyond the minimum protocols recommend in the BirdLife South Africa/EWT Best Practice Guidelines (Jenkins et al. 2015), as outlined below. While these recommendations technically also apply to areas identified as **very high sensitivity** during screening, BirdLife South Africa strongly advises against investing in further studies as it is unlikely that the wind energy can be developed sustainably in these areas.

### Duration and timing of data collection

Vulture activity levels and use of the landscape may differ year on year (e.g. Venter et al 2018) and avifaunal surveys should preferably span several years to account for seasonal variation in flight activity, and inter-annual variation in the relative abundance of birds (de Lucas et al. 2008, de Lucas et al. 2012a, Jenkins



CHRIS VAN ROOYEN

et al. 2015). BirdLife South Africa therefore recommends that the duration of monitoring should be extended to at least two years within areas of high and very high sensitivity.

If the results of the first year of monitoring indicate that the assessment of sensitivity during screening was inaccurate (i.e. should have been lower), it may not be necessary to continue with data collection for two years. This should only be considered if: i) all previously recorded roosts and colonies within 50km of the site are confirmed to be inactive and unlikely to be recolonized, ii) no previously unrecorded roosts or colonies are found within 50km of the proposed wind farm, and iii) no or a very low number of vultures are recorded during the surveys.

It is also important to sample as much seasonal variability as possible. Vultures could be more susceptible to wind turbine collisions in particular seasons as movement patterns and behaviour may be affected by the time of year (Spiegel et al. 2013). In southern Spain the greatest number of vulture fatalities occurred between September and February – corresponding to the Northern Hemisphere winter when thermal generation was weakest (Barrios and Rodríguez 2004, de Lucas et al. 2008, de Lucas et al. 2012a). This pattern differs between regions – a study of 89 wind farms across eight provinces in northern Spain found that the number of fatalities peaked in March and then declined until September (Camiña 2011).

Cape Vultures also may demonstrate seasonal differences in behaviour and habitat use. For example in parts of the Eastern Cape increased numbers of vultures have been recorded in spring–summer (the non-breeding season) (Boshoff et al. 2009, Smallie, unpublished). Cape Vultures from the Msikaba Colony also showed seasonal variability in habitat use and birds in the non-breeding season had slightly larger home ranges than in the breeding season (Pfeiffer et al. 2015).

Vantage point survey fieldwork should therefore include the pre-breeding season (late March to early May), as well as

*Roosts may be used sporadically and can be difficult to identify and monitor. An area of approximately 50 km around a proposed wind farm should therefore be surveyed for previously unrecorded roosts and colonies.*

the breeding season (May to December). **Site visits should be timed to account for as much seasonal variation as possible (i.e. a minimum of 6 site visits each year).**

#### *Focal point surveys*

Accurate information on the status and location of each roost and colony is useful for the purposes of impact assessment and mitigation, and it will also help measure trends before and after the construction of the wind farm.

**All (occupied and potential) breeding colonies and roosts within 50km of a proposed wind farm should be treated as focal points during monitoring and impact assessment.** Breeding colonies should be monitored according to the standard survey protocols (e.g. Benson et al. 2007, Wolter et al. 2011), as far as is practically possible. Where access is possible, and taking care not to disturb breeding birds, the number of pairs and breeding success (productivity and fledgling rates) should be recorded. Colonies should be visited at least three times during the breeding season to count the number of pairs (May), the number of chicks (July/August) and the number of fledglings (September/October) (Wolter et al. 2011). Roosts should be visited more often (i.e. at least four times a year) and classified (as per Boshoff et al. 2009) and described (e.g. man-made vs. natural). As a minimum (i.e. where access is limited and at roost sites), notes should be taken on the number of vultures and direction of travel to and from these sites. Surveys should be done at dusk as vultures may leave a colony or roost when it is too dark to do counts at dawn (Kevin Shaw, pers. comm.).

Monitoring data for roosts and colonies could make a significant contribution to the study of the species and it is therefore recommended that these data are shared with relevant stakeholders (e.g. BirdLife South Africa, EWT, VulPro and DEA). Where possible, monitoring should be coordinated between neighbouring wind farms and local conservation organisations – there is no need to duplicate surveys. An efficient approach could be to appoint a local conservation organisation to continue, and if necessary expand existing monitoring programmes.

#### *Vantage point surveys*

It is important to ensure that a representative sample of vulture movements is sampled, particularly if a wind farm is proposed within a high-sensitivity area. This implies that time spent conducting vantage point surveys should be increased from the minimum recommend in BirdLife South Africa /EWT's Best Practice Guidelines (Jenkins et al. 2015). Enough time must be spent to be able to accurately quantify flight activity and predict risk. However, flight activity can be variable, and the ideal number of hours spent conducting vantage point surveys will be influenced by the site, species, flight activity levels, and the acceptable degree of uncertainty. Increasing the number of hours of vantage point surveys will decrease the variability in the collision risk assessment, and more hours of monitoring may be required to reduce variability (i.e. potential error) at sites with low levels of flight activity (Douglas et al. 2012). In the absence of statistical analysis of the uncertainty associated with a data set for Cape Vulture, **it is recommended that an absolute minimum of 72 hours per vantage point per year should be surveyed** (e.g. Scottish Natural Heritage, 2013). Vantage points watches should be conducted by a minimum of two persons (at the same time on the same vantage point). This will help minimise observer fatigue and distraction and promote accurate data collection.

Vantage points should be located to ensure maximum coverage of the proposed development site. The direction of flight and height of vultures should be recorded at the first sighting, and then every 15 seconds thereafter. Flight height should be recorded in bands of 10 meters, preferably by using clinometers and range finders. These data can later be categorised into three broad bands (i.e. below, within, and above the rotor-swept area), depending on the turbine specifications proposed. Flight paths of Cape Vultures should be sketched out on topographic maps. Wind velocity and wind direction should also be recorded.

#### *Tracking devices*

Tracking devices (e.g. GPS/GSM devices) can be a valuable tool for understanding the flight behaviour and habitat usage of individual birds, and tracking data can be scanned to help identify roosts (which can be costly to find and may escape detection otherwise) (Pfeiffer et. al 2017). However, the costs and benefits of using tracking devices to help inform the placement of wind turbines should be carefully thought through. Devices should be selected and programmed to meet the purpose of the study, with consideration given to accuracy, the need for data on flight height and the frequency of recording locations.

Cape Vulture are likely to move well beyond the boundaries of any single wind farm, and there is a risk that vultures fitted with tracking devices might not move through the area



KATE WEBSTER

*A Cape Vulture flies dangerously close to a wind turbine in the Eastern Cape.*

of interest. Furthermore, only individual birds can be monitored, which means that there is a risk the data collected will not be representative of all birds in an area. Age and overall health of the birds must also be considered when analysing data, this should include if the bird has been rehabilitated. Rehabilitated Cape Vultures have a lower survival rate than wild-caught birds (Monadjem et al. 2013), which may influence their movements.

Cape Vulture can also be extremely difficult to capture and handle, and this should only be done under the supervision of suitably qualified and experienced individuals. Relevant protocols (e.g. Wolter et al. 2015) for capturing, handling and fitting tracking devices must be consulted. While no accounts of Cape Vulture fatalities from harnesses or tracking devices have been published, handling birds and attaching devices may carry a risk to study animals (Marzluff et al. 1997). Skin irritations have been observed (M. Pfeiffer, pers. obs.), but the long-term effect of this condition remains unknown.

Before embarking on a project that involves capturing and tracking vultures, a permit must be obtained from DEA and/or the provincial conservation authority (as per the National Environmental Management: Biodiversity Act (10/2004): Threatened or protected species regulations). BirdLife South Africa also strongly recommends that ethical clearance be obtained. For more information please see BirdLife South Africa's position statement on the tracking of birds, and the BirdLife South Africa Ethics Committee, at [www.birdlife.org.za](http://www.birdlife.org.za)

**Data gathered through tracking vultures can provide valuable information to guide the location of wind farms and powerlines.** This approach is best suited to projects beyond the scale of most wind farms (e.g. strategic/regional planning and sensitivity maps). Collaboration and information sharing

among stakeholders is therefore strongly encouraged. In order to maximise the benefits of tracking and to avoid duplication Tracking data should be housed in a central repository (e.g. Movebank), and the results of the project should be published in a peer review journal.

### Radar

Tracking devices are useful if the intention is to monitor the movements of individual birds over a wide area. In contrast, radar can be used to accurately record the movements of many birds in a limited area. Radar can record flight height and can eliminate some of the errors associated with human observation (Becker 2016). Some radar systems cannot differentiate between species, but it may be possible to correctly identify Cape Vulture using certain types of radar equipment (Becker 2016). Although night-time movements of vultures are relatively uncommon, radar can also record flights when visibility is limited by light (Becker 2016). Radar does not replace the need for vantage point monitoring, but it can help improve precision of measurements and possibly reduce the amount of human observation time at a site. **The use of radar in high sensitivity areas is encouraged**, but precision should not be confused with accuracy – radar studies must still be well-timed (as a minimum radar surveys should be timed to coincide with the period of highest risk).

Radar may also be a useful tool to use when mitigating impacts during the operational-phase (i.e. though shut-down-on demand).

### Wind current modelling

Wind current modelling can be used to predict the likely flight behaviour of vultures at the scale of a wind farm (de Lucas et al. 2012b). This method involves constructing a topographic model of the study site and recording the movements of objects through the model at different wind directions. Although costly and time-consuming, this method could be useful for proposed development sites that experience a multitude of wind directions.

### Assessment of collision risk

Impact assessments generally assume that collision risk is correlated to bird abundance and passage rates. However, there is conflicting evidence on the relationship between the abundance and/or passage rates of Eurasian Griffon Vulture and wind-farm fatalities in Spain (de Lucas et al. 2008, Ferrer et al. 2012). Barrios and Rodríguez (2004) reported that the highest number of vulture passes within 5 m of turbine blades were also near the turbines with the highest mortality rates. Another study found that although there may have been a trend between the predictive power of the EIAs (based on passage rates) and actual vulture fatalities, this relationship was not significant (Figure 3) (Ferrer et al. 2012). De Lucas et al. (2008) also did not find a simplistic linear relationship between abundance and collision mortality.

Table 1 summarises average Cape Vulture passage rates and fatality rates at operational wind farms in South Africa to date. This data is provided for comparative purposes only. The survey effort was lower than is recommended in these guidelines and post-construction monitoring has only been conducted for a short time in South Africa.

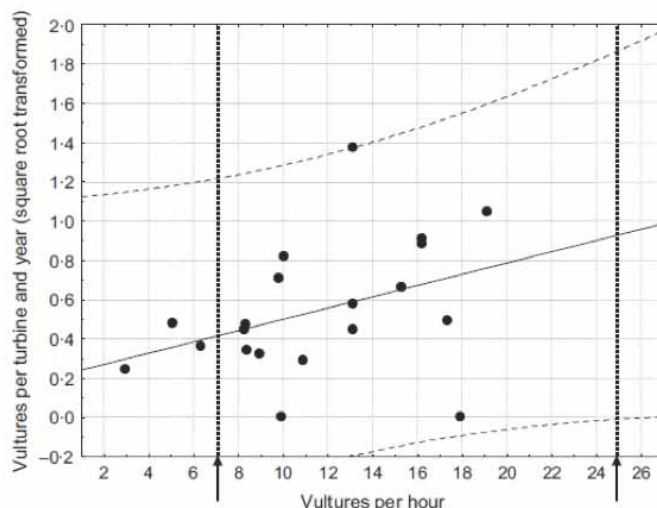


Figure 3. Non-significant correlation between Griffon Vulture mortality recorded in operating wind farms in Tarifa, Spain (square root transformed) and passage rates of vultures ( $r=0.379$ ,  $n=20$ ,  $p=0.099$ ). The dotted curves represent 95% of prediction. Some wind farms in the study were not approved, the range of passage rates recorded in these projects is represented by the arrows and dotted lines. From Ferrer et al. (2012).

The number of vulture fatalities that might take place once the wind farm is operational should be estimated using a collision risk model (Band et al. 2007, Scottish Natural Heritage 2009, Strickland et al. 2011, United States Fish and Wildlife Service (USFWS) 2012, Masden 2015) at all sites where there is sufficient data to estimate the risk. Collision risk models provide a useful and objective indication of the relative risk of collisions (USFWS 2013) and take many factors in addition to passage rates into account, including the characteristics of the wind energy facility and its turbines, flight height and speed, and a correction factor is used to account for uncertainties and behaviour (e.g. avoidance) (Strickland et al., 2011). The results of collision risk modelling can be used to compare different wind farm locations or layouts and can help contextualise the predicted impacts on the local bird population. However, if collision risk models are to produce meaningful results it is important that the input data represents average conditions – this should be possible with

	Passage Rate (vultures/hour)		Distance to nearest known roost or colony (km)	Collision rate (vultures/turbine/year)
	Pre-construction	Post-construction Year 1 (Year 2)		
Wind Farm 1	0.02	0.26	24	0
Wind Farm 2	0.31	0	17	0
Wind Farm 3	0.13		22	0.45
Wind Farm 4	0.13	0.11	28	0.07
Wind Farm 5	0.34	0.64 (0.84)	12	0.03

Table 1. Average passage rates (measured using protocols outlined in Jenkins et al. 2015), distance to nearest nest and collision rate at operational wind farms in the Eastern Cape which have recorded the presence of Cape Vulture. Operational phase monitoring was conducted for as little as three months (Wind Farm 3) and much as 36 months (Wind Farm 5)

the extended monitoring protocols recommended in these guidelines for sites of high sensitivity. Collision risk models make a number of assumptions (Whitfield 2009) and there is no literature verifying fatality rate predictions for Cape Vulture. The results should therefore be interpreted with these limitations in mind.

Predicting collision risk is not straightforward. Wind farms placed in dangerous areas with low densities of vulnerable species may be more hazardous than wind farms located in relatively safe areas with high densities of vulnerable species (Ferrer et al. 2012). In addition to passage rates and flight height, **factors such as topography, bird behaviour, season, aggregation, wind direction and wind speed may all be important (Carrete et al. 2012, de Lucas et al. 2012a, Ferrer et al. 2012) and should be taken into account during all stages of the assessment.**

#### Assessment of cumulative impacts

The risk of cumulative negative effects must be considered during site screening and then again in more detail during the impact assessment processes. The World Bank Group (2015) recommends that cumulative impact assessments should be conducted when multiple wind farms are located in areas of high biodiversity value (e.g. core habitat for Cape Vulture). The appropriate spatial extent of the cumulative assessment should be determined by the avifaunal specialist, taking the receiving environment into consideration. As a guide we recommend that the cumulative effects of all established and potential wind farms (i.e. wind farms that have environmental authorisation) within a radius of at least 100 km be considered during screening, but if multiple fatalities have been predicted during the impact assessment, it would be more appropriate to assess cumulative impacts on the regional population (e.g. through population viability assessment). This assessment should take into consideration impacts over the lifetime of the proposed facilities.

For further guidance on cumulative impact assessments see DEAT 2004, SNH 2012 and IFC 2013. The cumulative effects study for wind energy in the Tafila Region in Jordan (IFC 2017) also provides a useful example.

#### Mitigation

There are limited options available for mitigation once a wind farm is operational and the mitigation hierarchy (i.e. first seek to avoid and minimise) should always be adhered to. Mitigation measures should be designed to achieve no net loss of biodiversity (IFC 2012).

#### *Planning phase (location, layout and design)*

The considered location and layout of a wind farm and its turbines is the most widely accepted and cost-effective approach to minimise impacts. Turbines should not be placed in areas with a high abundance of Cape Vulture, high passage rates, or where there are topographic features and other areas likely to be associated with a high risk of vulture collisions (as identified in site screening and verified by the impact assessment). This may require the avoidance of large areas of the landscape.

The location and alignment of new powerlines associated with the wind farm should also take the above factors into account. No new powerlines should be permitted within a 5

km radius of a colony or roost (C. Hoogstad pers comm.). In areas where there is a high risk of collisions, above ground power lines should be avoided wherever possible and all new power lines must be marked with bird flight diverters and these devices must be monitored and maintained throughout the lifetime of the line. All new powerlines installed must be of the 'bird-friendly' type in order to minimise the risk of collision and electrocution (Jenkins et al. 2010, Boshoff et al. 2011) (for more information contact the Eskom-EWT Strategic Partnership).

Although rarely proposed in South Africa, BirdLife South Africa recommends that old lattice type wind turbine towers should not be constructed, as these provide numerous perching areas for raptors and may increase the probability of collisions (Barrios and Rodríguez 2004).

The implications of varying the name-plate capacity, hub height and rotor swept area should be assessed on a case-by-case basis, informed by the predominant flight patterns on site. Some studies have found that fatalities increased with turbine height, but relationship between turbine height and collision risk is likely to be site- and species-dependent (Marques et al. 2014).

Free spinning of turbines under low wind conditions, when turbines are not producing power should be avoided (World Bank Group 2015).

#### *Construction*

Construction activities at or near breeding colonies and roosts should be avoided to minimise disturbing vultures at these sites (Tarboton and Allan 1984, Borello and Borello 2002, Verdoorn 2004). The extent of disturbance buffers has been debated internationally and little data exists to support recommended buffer sizes. To some extent this is a moot point for the Cape Vulture and wind farms, as the buffers proposed in these guidelines to minimise collision risk (for powerlines and turbines) are likely to exceed disturbance distances. However, it may be possible that construction or upgrades to other infrastructure associated with a wind farm (e.g. roads) is proposed closer to colonies or roosts. Construction directly below or on top of a breeding colony or roost should not be permitted, and construction activities should not take place within 500 m of a breeding colony or roost (Kaisanlahti-Jokimäki et al. 2008) (this value is based on eagle research and should be adjusted based on the vultures' use of the immediate area). Construction near colonies during the breeding season (i.e. from egg laying, until the chicks have fledged) should be avoided (Borello and Borello 2002).

#### *Operational phase*

Operational phase mitigation and adaptive management carries risks and uncertainties and should not be relied on at high-risk sites where avoidance would be more appropriate. However, short of excluding wind energy from vast areas of South Africa it will be impossible to reduce the risk of vulture collisions to zero. Where the level of risk is deemed acceptable, but there is still a small residual risk of collisions, provision for operational phase mitigation and adaptive management must be included in the Environmental Management Programme (EMPr) to further reduce the risk. **The EMPr should clearly describe impact management objectives, outcomes**

and actions required to address potential impacts on vultures. Before a project proceeds it is important that decision-makers understand, and the wind farm developer agrees to the potential operational and cost implications of an adaptive management strategy.

The following operational phase mitigation options could be considered:

### 1. Curtailment and shut-down on demand

Turbine operation may be restricted to certain times of the day, season, or in specific weather conditions that are associated with a high risk of collisions. This approach requires a clear understanding of the risk factors (Barrios and Rodríguez 2004, de Lucas et al. 2012a). The collision risk for Eurasian Griffon Vulture was found to be higher at lower wind speeds (see Figure 7 from Barrios and Rodríguez 2004). In this example, turbines could theoretically be curtailed during low wind conditions, when the impact on power generation would be low. However, curtailment may result in turbines being shut down for long periods. Turbines operating at night, for example, would have a very limited impact on Cape Vultures, but could have major implications for the amount of power generated by a facility.

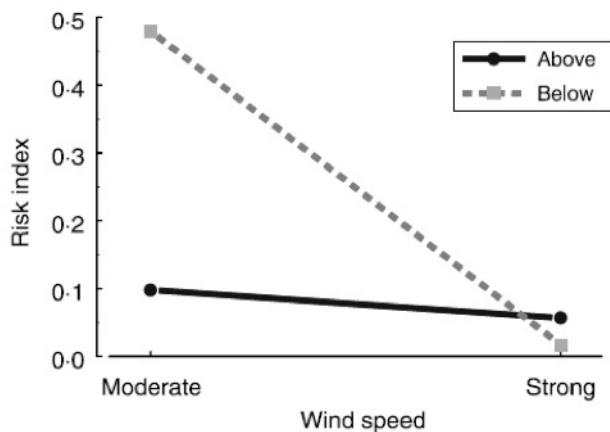


Figure 4. The interaction between height of flight at first contact with the observation area (i.e. above the turbines represented by the solid line vs. from below the turbines, dotted line) and wind speed on the putative risk index for Griffon Vulture (*Gyps fulvus*) at PESUR wind farm, Spain. Range of speeds of light/moderate winds: 4-6–12.5 m s<sup>-1</sup>; strong winds: > 12.5 m s<sup>-1</sup>. The risk index was defined as the frequency of risk situations (i.e. ratio between the number of birds observed within 5 m of the blades and the total number of passes or observations within 250 m of the turbine lines). From Barrios and Rodríguez 2004.

Shut-down-on-demand (i.e. stopping the movement of the turbines when there is a high risk of collisions) has been demonstrated to be an effective mitigation measure for reducing (but not eliminating) Eurasian Griffon Vulture mortalities in Spain (de Lucas et al. 2012a). Shut-downs can be triggered by human observers, or by using devices (i.e. radar or cameras) managed under human surveillance (Marques et al. 2014, BirdLife International 2015, World Bank Group 2015).

The effectiveness and feasibility of this approach for the Cape Vulture remains uncertain as the number of vultures

and daily passage rates will affect how often turbines need to be shut down. Shut-down-on-demand is likely to be most effective when there are clear peaks in collision-risk. In the above example of Griffon Vultures in Spain fatalities peaked during the migratory period (de Lucas et al. 2012a), while Cape Vulture are not migratory. Since most Old-World vulture species are resident, they may be exposed to risks associated with a wind farm throughout the year, not just during a specific period (e.g. migration) (Barrios and Rodríguez 2004).

Shut-down-on-demand or curtailment should not be relied on as the primary mitigation measure (BirdLife International 2015). However, it must be considered as part of the mitigation strategy if multiple Cape Vulture mortalities are expected to occur (or have been recorded) at a wind farm. The implementation of shut-down-on-demand should be adaptive, guided by a well-developed, post-construction monitoring program and the cost implications of this approach must be taken into account at an early stage of the project planning (World Bank Group 2015).

### 2. Food availability

If a wind farm is established within an area where Cape Vulture may occur it is important that the number of animal carcasses is minimised, both at the wind farm and within nearby areas, as carcasses could attract vultures and increase the risk of collisions. A dedicated full-time team should be tasked with detecting and removing any dead livestock or other animals within or near to wind turbines (e.g. within 2 km). All operational staff should also be required to report carcasses as soon as they are observed. Carcasses should be disposed of in a way that would not attract birds, or they should be transported to safe locations that are well away from the wind farm.

Calving and lambing near turbines (e.g. within 2km) is also strongly discouraged. This may require the wind farm to have agreements in place with the land owner and must be carefully considered during project planning. An alternative approach could be to curtail turbines during calving and lambing season.

If limiting the availability of food on site is proposed as mitigation and is required to reduce collision-risk to acceptable levels a) the mitigation hierarchy must have been exhausted and b) the effectiveness of this approach must be verified during the preliminary avifaunal assessment and impact assessment process.

#### Supplementary feeding sites (vulture restaurants)

It has been suggested that strategic placement of new supplementary feedings could influence the movements of vultures and reduce collision risk. While the use of supplementary feeding sites does have conservation merit and may be appropriate in the context of addressing existing threats (including from operational wind farms), a precautionary approach should be adopted if this is considered as mitigation for new wind energy facilities.

In a study of Cape Vultures (largely from the northern-node population), Kane et al. (2015) found that the location of colonies and supplementary feeding sites are both significant predictors of vulture presence. However, they found a stronger



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*The use of 'shut down-on-demand' may reduce the risk of turbine strikes in some circumstances, but the effectiveness and feasibility of this approach for Cape Vulture remains to be tested. Where it is proposed as mitigation, the cost implications must be taken into account by the applicant during the impact assessment process.*

association with roosts and colonies than with supplementary feeding sites, and supplementary feeding sites not reduce foraging ranges. Vultures were found to range over large areas, including where there are no restaurants (Kane et al. 2016). A small percentage of the Cape Vulture population may be reliant on supplementary feeding sites for food, but there appears to be enough wild ungulate carcasses and livestock deaths in communal farmland to sustain vulture populations (Kane et al. 2015, Pfeiffer et al. 2015), particularly in areas with good wind resource (i.e. Eastern Cape). While supplementary feeding sites are used by adult Cape Vultures, they are not as dependent on supplementary feeding sites as younger birds (Pfeiffer et al. 2015, Reid et al. 2015).

A study in Asia showed that five tagged Oriental White-backed Vultures *Gyps bengalensis* reduced their home ranges (by up to 59%), time in flight, and daily travel distances after supplementary feeding sites were established (Gilbert et al. 2007). However, the sample size was not representative of the population, all vultures travelled beyond the feeding site (which was 1.4 km from the breeding colony), and there was no evidence that the direction of travel was changed (Gilbert et al. 2007). There are also a number of differences between Oriental White-backed Vultures and Cape Vulture, including the size of their home ranges.

Supplementary feeding sites must be located and managed so as not to unintentionally increase risks to the birds (EWT 2011, Cortes-Avizanda et al 2016). If a new supplementary feeding site is proposed, consideration must be given to the location of other wind farms (planned, as well as operational), and associated infrastructure. These facilities would also require management throughout the lifetime of the wind farm. The pros and cons of altering the foraging range of Cape Vultures should also be carefully considered as this may affect vulture ecology and the provision of ecosystem services.

Where existing supplementary feeding sites are located in such a way that they may increase the probability of vultures traveling across a proposed wind farm, collision risk could be reduced if the supply of food is stopped at the restaurant, or the feeding site is relocated. However, if a feeding site has been operational for some time (e.g. a year or more) it is likely to take some time for birds to unlearn the behaviour and vultures may continue to visit the site even once a restaurant has been discontinued (K. Wolter pers comm.). This approach would also require the agreement and cooperation of the supplementary feeding site manager and the knock-on effects should be carefully considered. Supplementary feeding sites have many benefits including providing a safe feeding option, supplemental food in times of scarcity, and opportunities for tourism and research (Kane et al. 2015) which could benefit the overall conservation of the species. Supplementary feeding sites have increased the survival rate of first-year Cape Vultures in the Western Cape, and the number of breeding pairs at a colony in KwaZulu-Natal (although not breeding success) (Piper et al. 1999, Schabo et al. 2016).

**If the strategic location or removal of supplementary feeding sites is proposed as a mitigation measure in order to reduce the risk of collisions to acceptable levels a) the mitigation hierarchy must have been exhausted and b) the effectiveness of this approach must be verified during the preliminary avifaunal assessment and impact assessment process.**

### 3.3 MONITORING AND ADAPTIVE MANAGEMENT

If a wind farm is established in a high sensitivity area the duration and extent of construction and operational phase monitoring should be significantly increased from the minimum requirements outline in BirdLife South Africa and EWT's Best Practice Guidelines (Jenkins et al. 2015).

Given the uncertainty with regard to the potential effects of wind energy on Cape Vulture and how negative impacts could be minimised, before-and-after studies, combined with carcass surveys, will make a significant contribution to our knowledge.

Adaptive management is often proposed as a mitigation strategy in South Africa. It is an iterative decision-making process used in the face of uncertainty where the effectiveness of management policies and practices are continually reviewed and improved. As such, adaptive management relies heavily on monitoring data (USFWS 2012).

Wind farms are encouraged to go beyond demonstrating no net loss and should aim to achieve a net positive gain for the species. Once the mitigation hierarchy has been exhausted, residual impacts could be compensated through off-site conservation action.

#### Monitoring within high sensitivity areas

Data from vantage point monitoring can be useful when assessing options for operational-phase mitigation and vantage point monitoring should therefore continue through construction and into the operational phase, according to the frequency and duration recommended by the avifaunal specialist. It may be necessary to relocate vantage points to avoid construction activities.

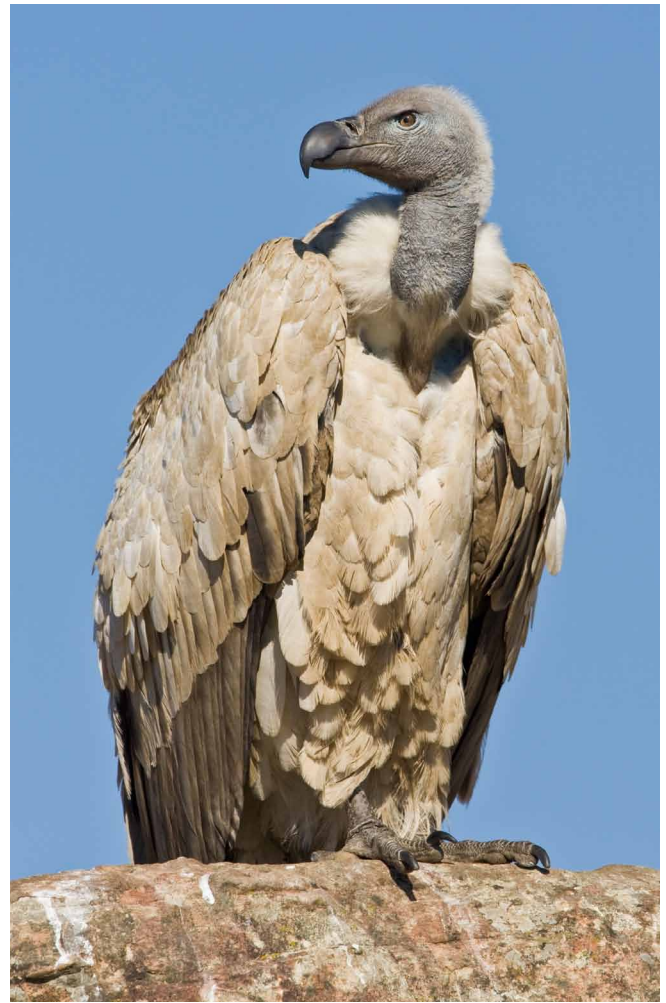
Breeding colonies and roost sites identified and surveyed during site screening and impact assessment should be monitored throughout the lifetime of the facility (as per the recommendations for focal surveys above), and where possible in collaboration with NGOs and state conservation agencies and other wind farm operators in the area.

Surveys for bird fatalities beneath the turbines must be initiated prior to the commercial date of operation and should continue throughout the lifespan of the project. These surveys should begin before 10% of the turbines have been erected and are rotating.

If new powerlines are built, operational phase monitoring should extend to include the powerline – bird flight diverters should be checked (and if necessary, replaced) and the area beneath the line should be surveyed for fatalities (with a frequency of approximately once a month, where feasible).

#### Injuries and fatalities

Fatalities of Cape Vulture (ad hoc or recorded during systematic surveys) should be carefully recorded and reported. The location of the carcass and estimated wind speed, the weight of the bird and approximate age (adult, immature or juvenile) should be recorded, and the carcass should ultimately be donated to a museum. Monitoring reports should normally be submitted to relevant stakeholders every quarter (Jenkins et al. 2015). In the event of a Cape Vulture fatality, this should be immediately reported to the bird specialist appointed by the



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*Monitoring birds before and after the construction of a wind farm provides an opportunity to verify predictions made during EIA processes, and test the effectiveness of mitigation measures.*

wind farm, BirdLife South Africa, VulPro, EWT and relevant conservation authorities (i.e. the DEA and provincial conservation authority). Following consultation with experts, and consideration of the as the EMPr (which should include impact management objectives, outcomes and actions relating to minimising risk to Cape Vulture), the avifaunal specialist should draft a report outlining the circumstances of the incident, the likely significance of the impact (including cumulative effects from that particular wind farm over the period of operation, and negative effects from other wind farms in the area), and if necessary a mitigation strategy should be proposed. Where necessary the specialist should propose amendments to the EMPr.

The nearest certified wildlife rehabilitation centre should be identified in the EMPr (VulPro will be able to assist in identifying suitable facilities) and if a bird is injured from a suspected collision with wind turbine blades, or related infrastructure, it should be transported to the facility where it can receive proper care. The injured birds should be examined, and the extent of the injuries documented.



## 4. CONSERVATION AND RESEARCH PRIORITIES

There are many gaps in our knowledge regarding the Cape Vulture, how they might be affected by wind energy facilities, and how these impacts could be managed. These include:

- A regular review of the location, size and status of Cape Vulture colonies and roosts (particularly in areas preferred by wind farm development, such as the Eastern Cape);
- A review of the size and effectiveness of the recommended buffer sizes proposed in these Guidelines (including a study of the relationship between proximity to roost and colony and collision risk);
- Ranking the importance of roost sites by vulture use, seasonality, type (man-made or natural) and risk of collisions (this analysis would need to include historical data; data on which individuals use roosts would also be of value);
- Assessing carrion availability in relation to foraging ranges and breeding colony size;
- Assessing the viability of locating supplementary feeding sites to reduce wind farm fatalities;
- Creating a habitat suitability model to predict potential roost sites or breeding colonies;
- Determine how hub height and rotor swept area of wind turbines influences collision risk for Cape Vulture;
- Ecological and economic significance of the species (e.g. implications of loss of species from an area);
- Is collision risk associated with vulture age or with the proportion of risky flights in the rotor swept area?
- Model Cape Vulture flight paths through wind development areas;
- A statistical analysis of the optimal duration and timing of vantage point surveys required to quantify flight activity (and risk of collisions);
- The effectiveness and feasibility of mitigation measures (e.g. curtailment and shut-down on demand using different techniques).
- Population Viability Analysis under different development scenarios.

## 5. CONCLUSION

South Africa is at an advantage with regard to wind energy development and Gyps vultures, because of the wealth of information produced in Spain on the topic. Furthermore, South Africa is fortunate to have about 2.5-fold more land than Spain, which provides numerous opportunities for wind energy development away from areas where the potential for vulture collisions is high. Over 80% of South Africa's land mass has enough wind resource for economic wind farms and can generate enough power to meet South Africa's electricity demand, with just 0.6% of the country's land area (CSIR 2016). While there are numerous other factors that constrain the area available wind energy development, we are optimistic that with careful site selection, rigorous monitoring, impact assessment and mitigation, it should be possible to develop wind energy in South Africa without negatively affecting the conservation status of Cape Vulture.

## REFERENCES

- Allan D. 2015. Cape Vulture *Gyps coprotheres* In: Taylor M, Peacock F, and R Wanless. *The 2015 Eskom Red Data Book of Birds of South Africa, Lesotho, and Swaziland*. Johannesburg: BirdLife South Africa.
- Avisense. 2015. Bird Scoping Assessment Specialist Report. *Strategic Environmental Assessment for wind and solar photovoltaic energy in South Africa. CSIR Report Number: CSIR/CAS/EMS/ER/2015/0001/B*. Stellenbosch
- Bamford AJ, Diekmann M, Monadjem A, and J Mendelsohn. 2007. Ranging behaviour of Cape Vultures *Gyps coprotheres* from an endangered population in Namibia. *Bird Conservation International* 17: 331–339.
- Band W, Madders M, and Whitfield DP. 2007. Developing field and analytical methods to assess avian collision risk at wind farms. In *Birds and wind farms – risk assessment and mitigation*. M. De Lucas, G.F.E. Janss, & M. Ferrer (eds). London, Quercus.
- Barrios L and A Rodríguez. 2004. Behavioural and environmental correlates of soaring-bird mortality at on-shore wind turbines. *Journal of Applied Ecology* 41: 72–81.
- Becker F. 2016. Optimising the use of visual and radar observations for the mitigation of wind energy related impacts on Cape vultures (*Gyps coprotheres*) in the Eastern Cape Province. Master of Science Thesis, Stellenbosch University, South Africa.
- Benson PC, Piper, SE, Neethling M, Vernon, C, Botha, A, Boshoff, A, Borello, WD, Borello, R, and PJ Mundy. 2007. Cape griffon vulture *Gyps coprotheres*: Breeding colony conservation and monitoring protocol. Endangered Wildlife Trust Birds of Prey Programme.
- Benson PC. 2015. A survey of Cape vulture breeding colonies in South Africa's northern provinces (Transvaal Region) – an update 2013 *Ornithological Observations*. 6: 31–36.
- BirdLife International. 2015. *Review and guidance on use of 'shutdown-on-demand' for wind turbines to conserve migrating soaring birds in the Rift Valley/Red Sea Flyway*. Regional Flyway Facility. Amman, Jordan
- Bonnell ML and RK Selander. 1974. Elephant seals: genetic variation and near extinction. *Science* 184: 908–909.
- Borello WD and RM Borello. 2002. The breeding status and colony dynamics of Cape vulture *Gyps coprotheres* in Botswana. *Bird Conservation International* 12: 79–97.
- Boshoff A and J Minnie. 2011. On the role of the shape and size of foraging area, and colony size, in selecting critical areas for Cape griffon *Gyps coprotheres* conservation action. *Vulture News* 61: 4–15.
- Boshoff AF and MH Currie. 1981. Notes on the Cape vulture colony at Potberg, Bredasdorp. *Ostrich* 52: 1–8.
- Boshoff AF, Barkhuysen A, Brown G, and MD Michael. 2009. Evidence of partial migratory behaviour by the Cape Vulture *Gyps coprotheres*. *Ostrich* 80: 129–133.
- Boshoff AF, Minnie JC, Tambling CJ, and MD Michael. 2011. The impact of power line-related mortality on the Cape vulture *Gyps coprotheres* in a part of its range, with an emphasis on electrocution. *Bird Conservation International* 21: 311–327.
- Boshoff AF, Robertson AS, and PM Norton. 1984. A radio-tracking study of an adult Cape griffon vulture *Gyps coprotheres* in the south-western Cape Province. *South African Journal of Wildlife Research* 14: 73–78.
- Botha AJ, Andevski J, Bowden CGR., Gudka M, Safford RJ, Tavares J, and Williams NP. 2017. *Multi-species Action Plan to Conserve African-Eurasian Vultures*. CMS Raptors MOU Technical Publication No. 4. CMS Technical Series No. 33. Coordinating Unit of the CMS Raptors MOU, Abu Dhabi, United Arab Emirates.
- Cabrera-Cruz SA and R, Villegas-Patracá. 2016. Response of migrating raptors to an increasing number of wind farms. *Journal of Applied Ecology* 53: 1667–1675.
- Camíña A. 2011. The effect of wind farms on vultures in northern Spain – fatalities behaviour and correction measures. In: May R, Bevanger K, editors. *Proceedings Conference on Wind Energy and Wildlife Impacts*, 25 May 2011.
- Carrete M, Sánchez-Zapata JA, Benítez JR, Lobón M, and JA Donáza. 2009. Large scale risk-assessment of wind-farms on population viability of a globally endangered long-lived raptor. *Biological Conservation* 142: 2954–2961.
- Carrete M, Sánchez-Zapata JA, Benítez JR, Lobón M, Montoya F, and JA Donázar. 2012. Mortality at wind-farms is positively related to large-scale distribution and aggregation in griffon vultures. *Biological Conservation* 145: 102–108.
- Corman AM, Mendel B, Voigt CC, and S Garthe. 2016. Varying foraging patterns in response to competition? A multicolony approach in a generalist seabird. *Ecology and Evolution* 6: 974–986.
- Cortés-Avizanda A, Blanco G, DeVault, TL, Markandya A, Virani MZ, Brandt J, and Donázar JA 2016. Supplementary feeding and endangered avian scavengers: benefits, caveats, and controversies. *Frontiers in Ecology and the Environment* 14(4): 191–199.
- CSIR (Council for Scientific and Industrial Research). 2015. *Strategic Environmental Assessment for wind and solar photovoltaic energy in South Africa. CSIR Report Number: CSIR/CAS/EMS/ER/2015/0001/B*. Stellenbosch
- CSIR. 2016. *Wind and Solar PV Resource Aggregation Study for South Africa*. Report by the CSIR Energy Centre, Pretoria. [www.csir.co.za/study-shows-abundance-wind-and-solar-resources-south-africa](http://www.csir.co.za/study-shows-abundance-wind-and-solar-resources-south-africa).
- de Lucas M, Ferrer M, and GFE Janss. 2012b. Using wind tunnels to predict bird mortality in wind farms: the case of Griffon vultures. *PLoS One* 7: e48092.
- de Lucas M, Ferrer M, Bechard MJ, and AR Muñoz. 2012a. Griffon vulture mortality at wind farms in southern Spain: Distribution of fatalities and active mitigation measures. *Biological Conservation* 147: 184–189.
- de Lucas M, Janss G, Whitfield D, and M Ferrer. 2008. Collision fatality of raptors in wind farms does not depend on raptor abundance. *Journal of Applied Ecology* 45: 1695–1703.
- DEAT 2004 Cumulative Effects Assessment, Integrated Environmental Management, Information Series 7, Department of Environmental Affairs and Tourism (DEAT), Pretoria. [www.environment.gov.za/sites/default/files/docs/series7\\_cumulative\\_effects\\_assessment.pdf](http://www.environment.gov.za/sites/default/files/docs/series7_cumulative_effects_assessment.pdf)
- Dermody BJ, Tanner CJ, and AL Jackson. 2011. The evolutionary pathway to obligate scavenging in *Gyps* vultures. *PLoS One* 6: e24635.
- Douglas DJT, Follestad A, Langston RHW, and Pearce-Higgins JW. 2012. Modelled sensitivity of avian collision rate at wind turbines varies with number of hours of flight activity input data. *Ibis* 154: 858–861.
- Drewitt AL and RH Langston. 2006. Assessing the impacts of wind farms on birds. *Ibis* 148: 29–42.
- Dupont H, Mihoub JB, Bobbé S, and F Sarrazin. 2012. Modelling carcass disposal practices: implications for the management of an ecological service provided by vultures. *Journal of Applied Ecology* 49: 404–411.
- EWT (Endangered Wildlife Trust). 2011. The Sasol Guide to the Establishment and Operation of Supplementary Feeding Sites for Vultures. Birds of Prey Programme. ([www.ewt.org.za/eBooks/booklets/Vulture%20Restuarant%20booklet.pdf](http://www.ewt.org.za/eBooks/booklets/Vulture%20Restuarant%20booklet.pdf)).
- Ferrer M, de Lucas M, Janss GFE, Casado E, Muñoz AR, Bechard MJ, and CP Calabuig. 2012. Weak relationship between risk assessment studies and recorded mortality in wind farms. *Journal of Applied Ecology* 49: 38–46.

- Ganz HH, Karaoz U, Getz WM, Versfeld W, and EL Brodie. 2012. Diversity and structure of soil bacterial communities associated with vultures in an African savanna. *Ecosphere* 3: 1–18.
- García-Ripollés C and P López-López. 2011. Integrating effects of supplementary feeding, poisoning, pollutant ingestion and wind farms of two vulture species in Spain using a population viability analysis. *Journal of Ornithology* 152: 879–888.
- Gilbert M, Watson RT, Ahmed S, Asim M, and JA Johnson. 2007. Vulture restaurants and their role in reducing diclofenac exposure in Asian vultures. *Bird Conservation International* 17: 63–77.
- Gill JA, Norris K, and WJ Sutherland. 2001. Why behavioural responses may not reflect the population consequences of human disturbance. *Biological Conservation* 97: 265–268.
- Gove B, Langston R, McCluskie A, Pullan J, and I Scrase. 2013. Wind farms and birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment. RSPB/BirdLife in the UK. Technical document T-PVS/Inf 15.
- Harel R, Horvitz N, and R Nathan. 2016. Adult vultures outperform juveniles in challenging thermal soaring conditions. *Scientific reports* 6: 27865.
- IFC (International Finance Corporation) 2012. Performance Standards on Environmental and Social Sustainability.
- IFC. 2013. *Good Practice Handbook: Cumulative Impact Assessment and Management: Guidance for the Private Sector in Emerging Markets*. www.ifc.org.
- IFC 2017 *Tafila Region Wind Power Projects Cumulative Effects Assessment*. International Finance Corporation Washington DC.
- Jarvis MJF, Siegfried WR, Currie MH. 1974. Conservation of the Cape Griffon in the Cape Province. *Journal of the Southern African Wildlife Management Association* 4: 29–34.
- Jenkins AR, Smallie JJ and M Diamond. 2010. Avian collisions with power lines: a global review of causes and mitigation with a South African perspective. *Bird Conservation International* 20: 263–278.
- Jenkins AR, Van Rooyen CS, Smallie J, Harris JA, Diamond M, Smit-Robinson HA, and S Ralston. 2015. *Best practice guidelines for assessing and monitoring the impact of wind energy facilities on birds in southern Africa*. BirdLife South Africa and the Endangered Wildlife Trust, Johannesburg.
- Johnston NN, Bradley JE, and KA Otter. 2014. Increased flight altitudes among migrating Golden eagles suggest turbine avoidance at a Rocky Mountain wind installation. *PLoS One* 9: e93030.
- Kaisanlahti-Jokimäki ML, Jokimäki J, Huhta E, Ukkola M, Helle P, and Ollila T. 2008. Territory occupancy and breeding success of the golden eagle (*Aquila chrysaetos*) around tourist destinations in northern Finland. *Ornis Fennica* 85: 2–12.
- Kane A, Jackson AL, Monadjem A, Colomer MA, and A Margalida. 2015. Carrion ecology modelling for vulture conservation: are vulture restaurants needed to sustain the densest breeding population of the African white-backed vulture? *Animal Conservation* 18: 279–286.
- Kane A, Wolter K, Nesar W, Kotze A, Naidoo V, and A Monadjem. 2016. Home range and habitat selection of Cape vultures *Gyps coprotheres* in relation to supplementary feeding. *Bird Study* 16: 387–394.
- Katzner TE, Brandes D, Miller T, Lanzone M, Maisonneuve C, Tremblay JA, Mulvihill R, and GT Merovich Jr. 2012. Topography drives migratory flight altitude of golden eagles: implications for on-shore wind energy development. *Journal of Animal Ecology* 49: 1178–1186.
- Leung DYC and Y Yang. 2012. Wind energy development and its environmental impact: A review. *Renewable and Sustainable Energy Reviews* 16: 1031–1039.
- López-López P, García-Ripollés C, and V Urios. 2013. Food predictability determines space use of endangered vultures: implications for management of supplementary feeding. *Ecological Applications* 24: 938–949.
- Loss S, Will T, and P Marra. 2013. Estimates of bird collision mortality at wind facilities in the contiguous United States. *Biological Conservation* 168: 201–209.
- Marques A, Batalha H, Rodrigues S, Costa H, Pereira M, Fonseca C, Mascarenhas M, and J Bernardino. 2014. Understanding bird collisions at wind farms: an updated review on the causes and possible mitigation strategies. *Biological Conservation* 179: 40–52.
- Martens FR. 2017. *The spatial ecology and roost site selection of fledging Cape Vultures (Gyps coprotheres) in the Eastern Cape, South Africa*. Master of Science Dissertation, Nelson Mandela University.
- Martens FR, Pfeiffer MB, Downs CP and JA Venter. 2018. Post-fledging movement and spatial ecology of the endangered Cape Vulture (*Gyps coprotheres*). *Journal of Journal of Ornithology* <https://doi.org/10.1007/s10336-018-1564-x>
- Martin GR, Portugal SJ, and CP Murn. 2012. Visual fields, foraging and collision vulnerability in Gyps vultures. *Ibis* 154: 1–6.
- Martin GR. 2011. Understanding bird collisions with man-made objects: a sensory ecology approach. *Ibis* 153: 239–254.
- Martínez-Abraín A, Tavecchia G, Regan HM, Jimenez J, Surroca M, and D Oro. 2012. Effects of wind farms and food scarcity on a large scavenging bird species following an epidemic of bovine spongiform encephalopathy. *Journal of Applied Ecology* 49: 109–117.
- Marzluff JM, Vekasy MS, Kochert MN, and K Steenhof. 1997. Productivity of Golden eagles Wearing Backpack Ratio-transmitters. *Journal of Raptor Research* 31: 223–227.
- Masden E. 2015. Developing an avian collision risk model to incorporate variability and uncertainty. *Scottish Marine and Freshwater Science* Vol 6 No 14. Edinburgh: Scottish Government, 43pp. DOI: 10.7489/1659-1
- Monadjem A, Wolter K, Nesar W, and A Kane. 2014. Effect of rehabilitation on survival rates of endangered Cape vultures. *Animal Conservation* 17: 52–60.
- Mundy P, Butchart D, Ledger J, and S Piper. 1992. *The vultures of Africa*. Acorn Books. Randburg.
- Ogada DL, Botha A, and P Shaw. 2015a. Ivory poachers and poison: drivers of Africa's declining vulture populations. *Oryx* 50: 593–596.
- Ogada DL, Shaw P, Beyers RL, Buij R, Murn C, Thiollay JM, Beale CM, Holdo RM, Pomeroy D, Baker N, Krüger SC, Botha A, Virani MZ, Monadjem A, and ARE Sinclair. 2015b. Another continental vulture crisis: Africa's vultures collapsing toward extinction. *Conservation Letters* 9:89–97.
- Ogada DL, Torchin ME, Kinnaird MF, and VO Ezenwa. 2012. Effects of vulture declines on facultative scavengers and potential implications for mammalian disease transmission. *Conservation Biology* 26: 1–8.
- Pagel J, Kritz K, Millsap B, Murphy R, Kershner E, and S Covington. 2013. Bald eagle and Golden eagle mortalities at wind energy facilities in the contiguous United States. *Journal of Raptor Research* 47: 311–315.
- Patricia Mateo-Tomás, Pedro P. Olea, Brian Gratwicke. (2010) Anticipating Knowledge to Inform Species Management: Predicting Spatially Explicit Habitat Suitability of a Colonial Vulture Spreading Its Range. *PLoS ONE* 5:8, pages e12374.
- Pfeiffer MB, 2016. Ecology and Conservation of the Cape vulture in the Eastern Cape Province, South Africa. PhD dissertation, University of KwaZulu-Natal.
- Pfeiffer MB, Venter JA, and CT Downs. 2015. Foraging range and habitat use by Cape vulture *Gyps coprotheres* from the Msikaba colony, Eastern Cape province, South Africa. *Koedoe* 57: 1–11.
- Pfeiffer MB, Venter JA, and CT Downs. 2017. Cliff characteristics, neighbour requirements and breeding success of the colonial Cape Vulture *Gyps coprotheres*. *Ibis* 159 (1): 26–37.

- Phipps WL, Willis SG, Wolter K, and V Naidoo. 2013b. Foraging ranges of immature African white-backed vultures (*Gyps africanus*) and their use of protected areas in Southern Africa. *PLoS One* 8: e52813.
- Phipps WL, Wolter K, Michael MD, MacTavish LM, and RW Yarnell. 2013a. Do power lines and protected areas present a catch-22 situation for Cape vultures (*Gyps coprotheres*)? *PLoS One* 8: e76794.
- Piper SE, Boshoff AF and HA Scott. 1999. Modelling survival rates in the cape griffon *Gyps coprotheres*, with emphasis on the effects of supplementary feeding. *Bird Study* 46: 230–238.
- Piper SE. 2005. Cape vulture. In: Hockey P, Dean W, and P. Ryan. Roberts Birds of Southern Africa. Cape Town: John Voelcker Bird Book Fund.
- Ralston-Paton S, Smallie J, Pearson A, and Ramalho R. 2017. Wind energy's impacts on birds in South Africa: A preliminary review of the results of operational monitoring at the first wind farms of the Renewable Energy Independent Power Producer Procurement Programme in South Africa. BirdLife South Africa Occasional Report Series No. 2. BirdLife South Africa, Johannesburg, South Africa.
- Reid T, Kruger S, Whitfield DP, and A Amar. 2015. Using spatial analyses of bearded vulture movements in southern Africa to inform wind turbine placement. *Journal of Applied Ecology* 52: 881–892.
- Retief EF, Diamond M, Anderson MD, Smit HA, Jenkins A, Brooks M, and R Simmons. 2013. Avian wind farm sensitivity map for South Africa: criteria and procedures used. Unpublished Report, Endangered Wildlife Trust-BirdLife South Africa, Johannesburg.
- Rushworth I and S Krüger. 2014. Wind farms threaten southern Africa's cliff-nesting vultures. *Ostrich* 85: 13–23.
- Rydell J, Bogdanowicz W, Boonman A, Pettersson S, Suchecka E, and JJ Pomorski. 2016. Bats may eat diurnal flies that rest on wind turbines. *Mammalian Biology – Zeitschrift für Säugetierkunde* 81: 331–339.
- Saidur R, Rahim NA, Islam MR, and KH Solangi. 2011. Environmental impact of wind energy. *Renewable and Sustainable Energy Reviews* 15: 2423–2430.
- Schabo D, Heuner S, Neethling M, Rösner S, Uys R, and N Farwig. 2016. Long-term data indicates that supplementary food enhances the number of breeding pairs in a Cape vulture *Gyps coprotheres* colony. *Bird Conservation International* 27:140–152.
- Scottish Natural Heritage. 2009. Guidance note. Guidance on methods for monitoring bird populations at onshore wind farms. Scottish Natural Heritage
- Scottish Natural Heritage. 2012. Assessing the cumulative impact of onshore wind energy development. SNH Guidance.
- Scottish Natural Heritage. 2013. Recommended Bird Survey Methods to Inform Impact Assessment of Onshore Wind Farms. SNH Guidance. Scottish Natural Heritage.
- Smallwood KS and C Thelander. 2008. Bird mortality in the Altamont Pass Wind Resource Area, California. *Journal of Wildlife Management* 72: 215–223.
- Spiegel O, Harel R, Getz W, and R Nathan. 2013. Mixed strategies of griffon vultures' (*Gyps fulvus*) response to food deprivation lead to a hump-shaped movement pattern. *Movement Ecology* 1: 1–12.
- Strickland M, Arnett EB, Erickson WP, Johnson DH, Johnson GD, Morrison ML, Shaffer JA, and Warren-Hicks W. 2011. *Comprehensive guide to studying wind energy/wildlife interactions*. Washington, D.C., USA: Prepared for the National Wind Coordinating Collaborative.
- Tarboton W and D Allan. 1984. *The status and conservation of birds of prey in the Transvaal*. Transvaal Museum, Pretoria.
- Tellería JL. 2009. Overlap between wind power plants and Griffon *Gyps fulvus* in Spain. *Bird Study* 56:2, 268–271, DOI: 10.1080/00063650902792056
- USFWS 2012. US Fish and Wildlife Service land-based wind energy guidelines. OMB. U.S. Fish and Wildlife Services. Arlington, VA.
- USFWS. 2013. *Eagle Conservation Plan Guidance. Module 1-Land-based Wind Energy Version 2*, US Fish and Wildlife Service, Division of Migratory Bird Management Branch of Policy, Permits and Regulations, Arlington, Virginia, USA.
- Vasilakis DP, Whitfield DP, Schindler S, Poirazidis KS, and Kati V. 2016. Reconciling endangered species conservation with wind farm development: Cinereous vultures (*Aegypius monachus*) in south-eastern Europe. *Biol Conserv.* 196: 10–17.
- Venter JA, Martens FR, and Wolter K. 2018. Recommended conservation buffer sizes derived from movement data of breeding adult Cape (*Gyps coprotheres*) in South Africa. Nelson Mandela University unpublished report.
- Verdoorn GH. 1997. Vulture restaurants as a conservation tool. In: Boshoff, AF, Anderson, MD, & Borello, WD. (Eds). *In the 21<sup>st</sup> century: Proceedings of a workshop on vulture research and conservation in southern Africa*. Vulture Study Group, Johannesburg. pp. 119–122
- Verdoorn GH. 2004. in the Northwest Province of South Africa. In: Monadjem, A., Anderson, MD, Piper, S.E. & Boshoff, AF. (Eds). *The vultures of Southern Africa – Quo Vadis? Proceedings of a workshop on vulture research and conservation in southern Africa*. Birds of Prey Working Group, Johannesburg: 100–105
- Vernon C. 1998. The Cape Vulture at Colleywobbles: 1977–1997. *Ostrich* 70: 200–202.
- Whitfield D. 2009. Collision avoidance of golden eagles at wind farms under the 'Band' collision risk model. Report from Natural Research to Scottish Natural Heritage, Banchory, UK.
- Wolter K and Hirschauer MT. 2016. *Southern African vulture breeding report 2016: Cape, African White-backed and Hooded Vulture breeding surveys*. VulPro.
- Wolter K, Nesar W, and Hirschauer MT. 2015. *Protocols for mass capturing, handling, and fitting tracking devices and patagial (wing) tags on vultures (version 2.0)*. From: [www.vulpro.com/wp-content/uploads/2016/08/Wolter-et-al.-Protocols-for-mass-capture-handling-and-fitting-tracking-devices-on-vultures-V2.0-Dec-2015.pdf](http://www.vulpro.com/wp-content/uploads/2016/08/Wolter-et-al.-Protocols-for-mass-capture-handling-and-fitting-tracking-devices-on-vultures-V2.0-Dec-2015.pdf).
- Wolter K, Piper SE, Neethling M, Veronon CJ, Botha A, Boshoff A, Borello WD, Mundy PJ, and Nesar W 2011. Cape Vulture (*Gyps coprotheres*): Breeding colony conservation & monitoring protocol update (2011) (Available at [www.vulpro.com/wp-content/uploads/2016/08/Cape-Griffon-Vulture-colony-monitoring-Protocol-KW.pdf](http://www.vulpro.com/wp-content/uploads/2016/08/Cape-Griffon-Vulture-colony-monitoring-Protocol-KW.pdf))
- Wolter K, Underhill LG, López Gómez M, and Brooks M. 2017. Bird distribution dynamics 6 – Cape Vulture *Gyps coprotheres* in South Africa, Lesotho and Swaziland. *Biodiversity Observations* 8.4: 1–11.
- World Bank Group. 2015. Environmental, health, and safety guidelines for wind energy. (Downloaded from: [www.ifc.org/ehsguideline](http://www.ifc.org/ehsguideline)).

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## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Wednesday, December 2, 2020 8:39 PM  
**To:** 'HO de Waal'  
**Cc:** Francois Havenga  
**Subject:** RE: Basic Assessment Process

Dear Prof De Waal,

Please receive herewith our acknowledgement of your letter dated 02 December 2020 in which your company's services are offered for removal / clearing the development sites of the invader alien spiny cacti.

The correspondence has been forwarded to the applicant for their information.

Kind regards,

---

**From:** HO de Waal  
**Sent:** Wednesday, December 2, 2020 11:28 AM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Cc:** Francois Havenga  
**Subject:** Basic Assessment Process

Hallo dear Me Nicolene Venter

Attached please find a letter for your attention.

Regards HO

--

Prof HO de Waal

2 December 2020

Me Nicolene Venter  
Savannah International  
[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)

Dear Me Venter

**Basic Assessment Process  
Development of a cluster of renewable energy facilities between Somerset East and  
Makhanda  
November 2020**

We have received information (two documents) from a farmer about the envisaged projects referred to above.

Alien invader cacti, predominantly the spiny *Opuntia ficus-indica* and *O. engelmannii* have infested to various degrees the Eastern Cape Province.

Our Company, *Spiny Cactus Pear Processing (Pty) Ltd* has been involved in preparing the construction sites for the erection of a wind turbine project near Bedford. We were specifically engaged to clear the invader alien spiny cacti from the access roads and platforms stands for the contractors to erect the wind turbine towers and auxiliary facilities.

Considerable competency and expertise have been developed in harvesting and processing alien spiny invader plants as livestock feed.

Attached please find a document providing some background in this regard.

We assume our expertise will be required to implement the envisaged projects.

Please advise how and with whom we can engage to participate.

Yours sincerely



Name: HO de Waal  
Director: Spiny Cactus Pear Processing (Pty) Ltd



## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Sunday, December 6, 2020 8:42 AM  
**To:** 'Francois Havenga'  
**Subject:** RE: F.Havenga  
**Attachments:** SE2602 Wind Relic BID (Afr).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf

Beste Francois,

Dankie vir jou e-pos van 03 Desember 2020.

Die Basiese Evalueringsprosesse vir die voorgestelde wind- en sonplaasontwikkelings in die Makhanda en Somerset-Oos omgewing het so pas 'n aanvang geneem –die Agtergrondinligtingsdokument wat tegniese en proses inligting rakende die voorgestelde ontwikkelings bevat is aangeheg vir jou inligting. Graag versoek ons jou om formeel te registreer dan sal jy op hoogte wees hoe die projek-aansoek vir omgewingsmagtiging vorder.

Savannah Environmental is aangestel om die omgewingsimpakstudie te doen en is nie deel van die konstruksie / operasionele fase van die projekte nie.

Soos genoem, die studies het pas 'n aanvang geneem en die projekte het nog nie omgewingsmagtiging ontvang nie.

Jou e-pos is aan die ontwikkelaar gestuur.

Vriendelike groete,

---

**From:** Francois Havenga  
**Sent:** Thursday, December 3, 2020 7:33 PM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Subject:** F.Havenga

Goeie dag Nicolene,

Jammer ek kon nie jou oproep gister ontvang nie. Die sein op terrein is baie swak.

Ek het met Andries Troskie gesels en hy het genoem dat julle besig is met werk aan die groep windplase Wes van Middleton.

Soos ek kortliks aan Mnr Chris Buchner genoem het, is ek tans werksaam op die Golden Valley Wind Energy Facility as EPC Site Civil Engineer vir Goldwind Africa. Die projek nader sy einde en ek wil hoor of ek die ontwikkelaar en/of kontrakteur(s) se kontakbesonderhede by u kan kry. Ons projekspan is almal op kontrakbasis aangestel en die kontrakte verstryk in Maart 2021. Indien dit moontlik is, sal ek graag my CV by die HR Departement wou uitkry, sodat ek aansoek kan doen vir 'n moontlike pos.

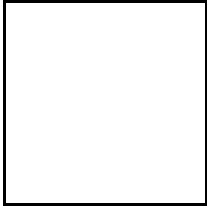
Aangesien ek woonagtig is in Somerset Oos, is ek redelik naby aan die verskillende ontwikkelings wat Dries Troskie aan my genoem het. Sy plaas is blykbaar deel vand Hamlet Wind Farm, maar die ander aangrensende ontwikkelings en selfs die in Grahamstad, is bereikbaar naby.

Indien ons kan gesels, sal ek baie waardeer.

Beste groete,

Francois Havenga





This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Friday, December 11, 2020 4:53 AM  
**To:** charles hanyani; Brenda Ton  
**Subject:** RE: Self Catering Cottages

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>	<b>Read</b>
	charles hanyani		
	Brenda Ton	Delivered: 12/11/2020 4:53 AM	Read: 12/11/2020 7:30 AM

Dear Charles,

Thank you for sharing the information regarding your self catering units facilities with us.

I am forwarding it to our Office Manager who deals with staff members accommodation bookings.

Kind regards,

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**From:** charles hanyani  
**Sent:** Thursday, December 10, 2020 9:46 PM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Subject:** Self Catering Cottages

Dear Nicole Venter

I hereby write to you as an owner of two neat self catering units that are available in Adelaide. The units are in a secure location in the central town of Adelaide. Each unit consists of bedroom, a small lounge, a kitchen and a bathroom with a shower and toilet.

Please assist if there are any Windfarm projects which would want to utilize our cosy accommodation.

These units are located on my property, which has a 3-bedroomed house that I am willing to rent out. The main house is fully furnished

Feel free to contact me on

Regards  
Charles

## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Thursday, December 17, 2020 11:18 AM  
**To:** Gwen Theron  
**Cc:** Michael van Staden; Ronald Baloyi  
**Subject:** Proposed Wind Farm Developments in the Eastern Cape:  
**Attachments:** LEAP Environment-THERON Dr Gwen (2020.12.15).pdf; SE2602-WindRelic RegCommForm-FINAL.pdf; VAN STADEN Michael (2020.12.15).pdf; WRSA-YORK Richard (2020.12.15).pdf; KWANDWE-SHOLTO-DOUGLAS Angus.pdf; HEYNEKE G (2020.12.15).pdf; TALIS HOLDINGS-MOGASHOA Tebogo (2020.12.15).pdf; ENGELBRECHT Colin (2020.12.15).pdf; JURGENS Thinus (2020.12.15).pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Gwen Theron	
	Michael van Staden	
	Ronald Baloyi	Delivered: 12/17/2020 11:18 AM

Dear Dr Theron,

Thank you for your e-mail below requesting registration of yourself and other stakeholders on the proposed project's database.

Attached for your perusal is the proof of the registrations (yourself and the other I&APs listed in your e-mail below). Please note that Mr Angus Sholto-Douglas is already a registered I&AP.

To register on the project's database we need a name and surname please – would you kindly provide the information as this e-mail address has not yet been captured on the project's database.

At this stage it is envisaged that the BARs will be made available for review and comment in the new year. As registered I&APs, all will be notified of the availability of the BARs for your review and comments.

Dr Theron, it is required that yourself and those I&APs that have been registered as per your e-mail below, complete the attached registration and comment form to ensure that the relevant parties are registered to the applicable projects.

Please do not hesitate to contact us should you require any additional information at this stage.

Kind regards,

---

**From:** Gwen Theron  
**Sent:** Tuesday, December 15, 2020 9:32 AM  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Cc:** Michael van Staden  
**Subject:** FW: Proposed Wind Farm Developments in the Eastern Cape

Dear Nicolene,

Please register me and the persons listed below as interested and Affected parties for this application.

1. Michael van Staden  
VAN STADEN & BOOYSEN INC.

4 IBIS PLACE, MEYERSDAL EXT 21.

Our website: [www.vsbattorneys.co.za](http://www.vsbattorneys.co.za)

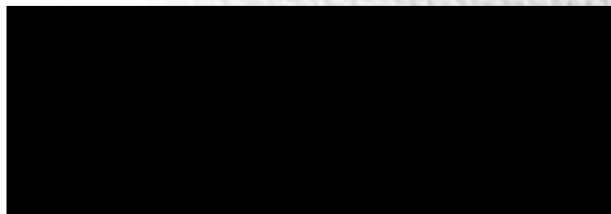
2. Richard York

The President-WRSA-Mr Gerhard Heynecke  
Deputy President-WRSA-Mr Colin Engelbrecht  
Director-High Level Affairs-Mr Tebogo Mogashoa  
CEO-WRSA-Mr Richard York  
EC Provincial Chair-Mr Thinus Jurgens

**Richard York - Chief Executive Officer**



*"Governed by nature,  
driven by passion,  
focussed on results"*



3. **ANGUS SHOLTO-DOUGLAS**  
MANAGING DIRECTOR

Web: [www.kwandwe.com](http://www.kwandwe.com)



Heatherton Towers, Kwandwe Private Game Reserve, Fort Brown District, Eastern Cape, 6140, South Africa

Also

Tebogo Mogashoa'

Colin Engelbrecht'

Thinus Jurgens'

Please acknowledge the request

I will also appreciate it if you can give me a schedule or time frame for the submission of comments to the process.  
Much appreciated.

Dr. Gwen Theron



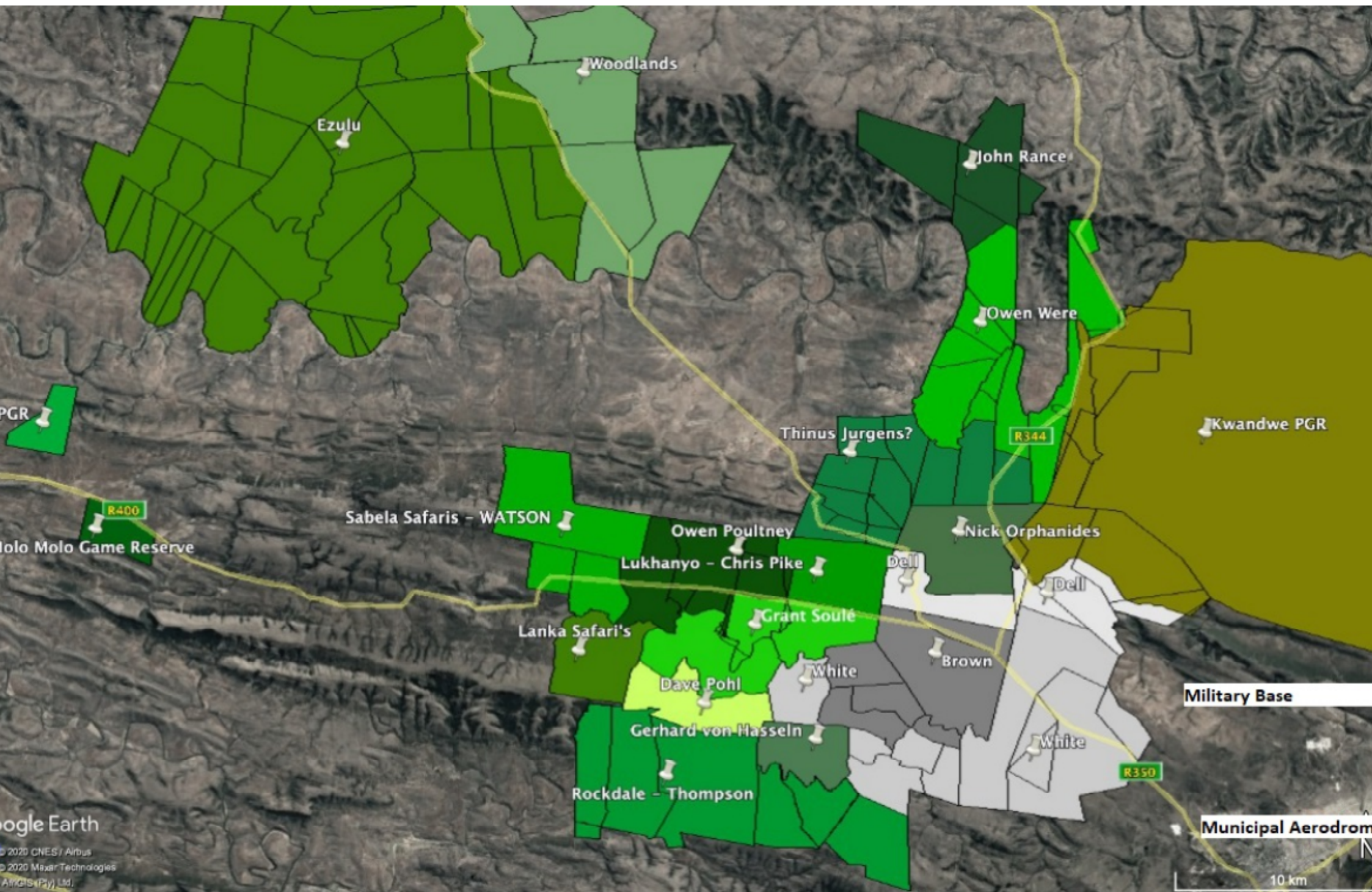
**LEAP**

Dr. Gwen Theron • PrLArch No 97082

Landscape Architect • Environmental Planner

Imbrilinx cc 2010/089810/23





## Savannah Public Process

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**From:** Gerhard Kapp  
**Sent:** Thursday, December 17, 2020 9:44 AM  
**To:** Savannah Public Process  
**Cc:** Ronald Baloyi  
**Subject:** Re: Public invitation - Possible Renewable Energy Projects  
**Attachments:** 1.png; 0.gif

Thank you for your response.  
I appreciate it immensely.  
All the best for the festive season and New Year.

Best regards

Gerhard Kapp

On Thu, 17 Dec 2020, 08:21 Savannah Public Process, <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

Dear Gerhard,

Thank you for your e-mail below.

Please be informed that it is forwarded to the applicant for their perusal.

Kind regards,



t: 011 656 3237  
f: 086 684 0547



**Nicolene Venter**

Public Process

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

[SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015](#)

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**From:** Gerhard Kapp  
**Sent:** Tuesday, December 15, 2020 10:16 PM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Re: Public invitation - Possible Renewable Energy Projects

Good afternoon Nicolene

Glad to hearing from you today.

This mail is based on a notification for upcoming events at Kommadagga , as per your notification, in the region of the Easter Cape

There is an opportunity to view more farm land, in the Kommadagga region, which I think might be of interest to you.

Therefore , I want to invite you and your development Team to investigate the possibilities for a possible wind farm project.

We can arrange accommodation, if need be , however it is subjected to confirmation in advance by email and phone call.

I'm looking forward to hearing from you, and we'll be in touch.

Thank you

Kind regards

Gerhard. Kapp



## Savannah Public Process

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**From:** Savannah Public Process  
**Sent:** Wednesday, February 24, 2021 8:25 AM  
**To:** Chad Comley  
**Subject:** Eastern Cape Development of a Cluster of Renewable Energy Facilities

Hi Chad,

In response to your e-mails dated 16 & 17 February 2021, please be informed that queries / requests relating to company information and/or matters do not fall within the ambit of the Basic Assessment processes being undertaken for the Eastern Cape Renewable Energy Facility Clusters.

The information requested can be obtained from the Companies and Intellectual Property Commission (CIPC).

Please do not hesitate to submit any further comments that you may have relating to the environmental studies being undertaken for these proposed developments.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**

Public Participation & Social  
Consultant

e: [nicolene@savannahsa.com](mailto:nicolene@savannahsa.com)  
c: +27 (0) 83 377 9112

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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**From:** Savannah Public Process  
**Sent:** Thursday, February 18, 2021 7:23 AM  
**To:** Chad Comley  
**Subject:** RE: Se2602 development of a cluster of renewable energy facilities

Hi Chad,

Please receive herewith acknowledgement of your e-mail below.

Your request for information has been forwarded to the project team for a response.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
**Public Process**

e: [Publicprocess@savannahsa.com](mailto:Publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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**From:** Chad Comley  
**Sent:** Wednesday, February 17, 2021 12:21 PM  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Se2602 development of a cluster of renewable energy facilities

Hi Nicolene

This is to confirm Wind Relic and Dimsum partnership  
From yesterday question

Pls could you also supply me with answer to the following questions

1) who is the project manager of the clusters of renewable energy facilities

2) who are the directors of wind relic and all the applicants company's

3) could you pls provide me with the shareholders certificates in wind relic  
And all the other applicant companies

It would be appreciated if you could get back to me with a response as soon as possible  
Maybe by the end of the week

Could you also acknowledge receipt of mail  
And yesterdays mail

Kind regards  
Chad Comley



WIND RELIC is Dimsum Energy's privately-owned partner in the current development of two significant wind projects in the Eastern Cape – the first, just South of Somerset East and the second, just West of Grahamstown. Once completed, these two utilities will combine to

## Tumelo Mathulwe

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**From:** Jo-Anne Thomas  
**Sent:** Thursday, 30 September, 2021 14:03  
**To:** Andre van der Spuy  
**Cc:** Savannah Public Process; 'Sabelo Malaza'  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3  
**Attachments:** Response to A vd Spuy (Sept21)\_final.pdf

**Importance:** High

Dear Mr van der Spuy,

Please find attached letter for you attention.

Sincerely,

**Jo-Anne Thomas**

Director | Savannah Environmental (Pty) Ltd

Tel: +27 (0)11 656 3237 | Fax: +27 (0)86 684 0547 | Cell: +27 (0)82 775 5628

[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

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**From:** Andre van der Spuy <avdspuy@iafrica.com>  
**Sent:** Wednesday, 22 September 2021 09:56  
**To:** Jo-Anne Thomas <joanne@savannahsa.com>  
**Cc:** Savannah Public Process <publicprocess@savannahsa.com>; 'Sabelo Malaza' <Smalaza@environment.gov.za>  
**Subject:** Wind Relic environmental applications, COOKHOUSE REDZ3

Dear Ms. Thomas

Please find attached letter for your attention.

Sincerely

Andre van der Spuy  
AVDS Environmental Consultants

30 September 2021

André van der Spuy Environmental Consultants  
42 Afrikander Road  
Murdoch Valley South  
Simon's Town  
Cape Town  
7975

Attention: André van der Spuy,

**FIVE ENVIRONMENTAL APPLICATIONS COMPRISING FOUR (4) WIND ENERGY FACILITY APPLICATIONS AND ONE (1) APPLICATION FOR A MAIN TRANSMISSION STATION AND TWO 400KV POWERLINES ALL CONSTITUTING A PART OF WIND RELIC (PTY) LTD'S OVERALL COOKHOUSE REDZ3 RENEWABLE ENERGY PROJECT ("RENEWABLE ENERGY PROJECT") SITUATED BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE (DFFE REF. NO.: TO BE ISSUED)**

Your letter dated 22 September 2021 received via email on 22 September 2021 ("22 September 2021 Letter") refers.

With reference to your contention that you represent certain clients, we note that you did not disclose the details of your clients, making it impossible for us to confirm whether or not they are registered on the Renewable Energy Project databases. You are therefore hereby requested to provide us with the details of your clients so that we can formally register them as interested and affected parties ("I&APs") on the aforementioned databases. This will allow us to properly and fairly consider their specific interests in light of any comments they might submit regarding the impacts of the Renewable Energy Project on their interests.

It also appears from your letter that you contrive to imply that there is no transparency in so far as all the projects collectively being undertaken in the Makhanda and Somerset East areas is concerned. In this regard we refer you to the EIA process adverts placed on 12 November 2020 in two newspapers, i.e. an English advert in the regional newspaper, the Herald, and an Afrikaans advert in a local newspaper, the Hartland Nuus. These adverts included the details of all the projects (i.e. 6 wind projects, 2 solar projects and a 400kV Main Transmission Substation ("MTS")) proposed as part of a renewable energy cluster ("Renewable Energy Cluster").

Further to this, the Background Information Document ("BID") distributed via email on 17 November 2020 to all registered I&APs included details of all the projects proposed as part of the Renewable Energy Cluster. The Basic Assessment Reports compiled and released for public review to date (i.e. the reports for the 6 wind farms and an MTS) ("Basic Assessment Reports") also all included details of all the projects proposed as part of the Renewable Energy Cluster. The cumulative environmental impacts of all the proposed projects in the vicinity of each development (including those as part of the larger Renewable Energy Cluster) are assessed within each report.

It should therefore be clear that the details of all the projects proposed as part of the Renewable Energy Cluster have been public knowledge since the outset of the EIA processes being undertaken for all the various projects.

In so far as the public participation process for each project is concerned, this is being undertaken in accordance with the Public Participation Plan approved by the DFFE ("PP Plan"). The PP Plan is included as Appendix C1 to the Basic Assessment Reports, and includes details as to how each requirement of the EIA Regulations, 2014 relating to public participation (i.e. Regulation 40 – 44) is to be met. The approved PP Plan includes, *inter alia*, provision for a 30-day public review period for the draft Basic Assessment Reports as well as the undertaking of virtual public participation meetings. Notwithstanding the provisions of the approved PP Plan relating to the 30-day period, it was decided to stagger the review periods for the draft Basic Assessment Reports and a 45-day review period is provided for each group of reports available. As previously indicated in our notification letters, the review periods are as follows:

- » Redding Wind Farm, Aeolus Wind Farm and the REDZ 3 Power Corridor 400MTS - Friday, 03 September 2021 until Tuesday, 19 October 2021; and
- » Hamlett Wind Farm and Rippon Wind Farm - Friday, 10 September 2021 until Tuesday, 26 October 2021.

A number of virtual meetings have been arranged and held to date and further meetings are planned. Public participation process meetings have been advertised and notifications have also been provided to all registered I&APs. The various limitations surrounding the use of electronic media by some parties in the area (including occupiers) has also been taken into consideration. Regarding your concern, particularly in relation to the participation of occupiers, we should point out that face-to-face consultation meetings have already been planned to be undertaken (in Xhosa where required) within the aforesaid review periods in order to present the details of the projects and so that their issues and comments can be recorded for inclusion and response in the public participation process.

We should, however, point out that considering the limitations (due to COVID-19 considerations) relating to the accessing of some public places (such as schools, libraries and municipal offices) at which hard copies of the draft Basic Assessment Reports would have been placed under pre-Covid circumstances, it is considered that the availability of reports via electronic format provides more accessibility to the majority of I&APs and stakeholders. Although the reports are available electronically on the Savannah Environmental website, copies can also be made available in hard copy or alternative electronic formats as per the specific requirements of I&APs (as was made clear in the notification letter distributed to them on 2 September 2021). This was done in order to address the specific needs of I&APs to ensure their meaningful participation.

In this regard, we record that prior to your 22 September 2021 letter, we did not receive any requests from yourself for hard copies of the draft Basic Assessment Reports for the 5 applications currently out for public review. We hereby further place on record that your previous requests for copies of the Wind Garden and Fronteer reports were responded to and that we arranged for CourierIT to deliver copies of them on CD and USB to you on 24 August 2021. You, however, specifically refused the delivery thereof and in this regard we attach a copy of the relevant Tracking Report. As per your request in the 22 September 2021 Letter, hard copies of the 5 reports currently available for public review were couriered to you on Tuesday 28 September 2021. These reports describe and assess the proposed projects comprising the Renewable Energy Project and include a summary of the specialist studies undertaken. The detailed specialist reports and other supporting information are included in appendices to the report. The reports must be read in conjunction with these appendices which include:

<b>Appendix A:</b>	EIA Project Consulting Team and Specialist CVs
<b>Appendix B:</b>	Authority Consultation
<b>Appendix C:</b>	Public Participation Process
Appendix C1:	Approved Public Participation Plan
Appendix C2:	I&AP Database
Appendix C3:	Site Notices and Newspaper Advertisements
Appendix C4:	Background Information Document
Appendix C5:	Organs of State Correspondence
Appendix C6:	Stakeholder Correspondence
Appendix C7:	Comments Received
Appendix C8:	Minutes of Meetings
Appendix C9:	Comments and Responses Report
<b>Appendix D:</b>	Ecological Impact Assessment
<b>Appendix E:</b>	Avifauna Impact Assessment
Appendix E(1):	aAvifauna Peer Review Letter
<b>Appendix F:</b>	Bat Impact Assessment
<b>Appendix G:</b>	Aquatic Impact Assessment
<b>Appendix H:</b>	Soils and Agricultural Impact Assessment
<b>Appendix I:</b>	Heritage Impact Assessment
<b>Appendix J:</b>	Noise Impact Assessment
<b>Appendix K:</b>	Visual Impact Assessment
<b>Appendix L:</b>	Socio-Economic Impact Assessment
<b>Appendix M:</b>	Traffic Impact Assessment
<b>Appendix N:</b>	Environmental Management Programme (EMPr)
Appendix N(1):	Wind Farm EMPr
Appendix N(2):	Generic EMPr for Overhead Power Lines
Appendix N(3):	Generic EMPr for Substations
<b>Appendix O:</b>	Maps (A3)
<b>Appendix P:</b>	Specialist Declarations
<b>Appendix Q:</b>	EAP Declaration of Independence and Affirmation
<b>Appendix R</b>	Additional Information
Appendix R(1):	DFFE Screening Report
Appendix R(2):	Preliminary Geotechnical Investigation
Appendix R(3):	Spatial Development Plan
Appendix R(4):	Draft Conservation Framework (Socio-economic development)
Appendix R(5):	Water Feasibility Study
Appendix R(6):	Water Requirements
Appendix R(7):	Sanitation Study

Further to your request for the reports, we have noted your request for a meeting to discuss the Renewable Energy Projects. As previously indicated, a number of meetings have already been scheduled and held for the projects for which the reports are currently available for public review, including those advertised in the Herald and Hartland Nuus on 2 September 2021. We therefore further place on record that you have not previously requested a meeting to discuss any of the applications forming part of the Renewable Energy Cluster. We, however, did request a meeting with you to be held in Cape Town in March 2021 after you indicated you were unavailable to attend the meetings held in Grahamstown. You did not respond to our request until after our team had left Cape Town, and did not suggest an alternative date suitable to yourself for such a meeting.

We are still available to meet with yourself and your, as yet unidentified clients to discuss the projects and record and respond to any issues and concerns. In the circumstances though, considering the risks associated with spread of COVID-19, arranging for the availability of all parties at an as yet undisclosed location and taking into account the fact that there are prescribed timeframes within which the final reports must be submitted, the meeting will be arranged to be held electronically on a time and date prior to the end of the review period on 26 October 2021 via an appropriate electronic forum (i.e. MS Teams, Zoom, Skype, etc). As you have indicated that you are unable to utilise such electronic fora, it is requested that you possibly make use of your clients' more advanced computer hardware for this purpose. Please advise a suitable date and time for such a meeting as soon as possible so that we can arrange for all the relevant persons to attend, including the specialists you refer to.

Lastly, we note that you seem to be implying in your letter that the DFFE is not objective in their consideration of these types of applications. We point out that the meetings to which you refer in the 22 September 2021 Letter were held between the applicant and the relevant authorities in the normal course of the project development process. In terms of Regulation 8(a) of the EIA Regulations, 2014, the DFFE is required to "*advise or instruct the proponent or applicant of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used in order to comply with the Act and these Regulations*".

We trust that you will timeously respond to this letter with the details of the clients that you represent and your preferred date and time for the meeting that you have requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'JThomas', with a small flourish at the end.

Jo-Anne Thomas





# Ewaybill Tracking Report



**Account Number :** 11860 SAVANNAH ENVIRONMENTAL (PTY)LTD  
**Waybill Number :** 88814645996

Transaction Date	Transaction Time	Branch	Movement	Reason
24-Aug-2021	12:26	CPT	Returned To Sender	Returned on Waybill 77710169480
24-Aug-2021	12:26	CPT	Delivery Exception (Cage)	Receiver Refused Delivery
13-Aug-2021	05:37	CPT	Accepted At Branch	Exception - Parcel Received Into Branch
13-Aug-2021	12:40	CPT	Delivery Exception (Manual)	Receiver refused delivery
13-Aug-2021	07:06	CPT	Loaded Into Vehicle	SCHEDULE:13AUG2021-AM Route:2 OD MOOSA FAGODIEN
12-Aug-2021	07:28	CPT	Parcel Handover (Cage)	Handed Over To Operations Department
12-Aug-2021	05:36	CPT	Accepted At Branch	Exception - Parcel Received Into Branch
12-Aug-2021	04:45	CPT	Delivery Exception (Manual)	Driver ran out of time
12-Aug-2021	06:56	CPT	Loaded Into Vehicle	SCHEDULE:12AUG2021-AM Route:2 OD MOOSA FAGODIEN
12-Aug-2021	04:13	CPT	Depot checkin	Waybill Received InTo Branch - Pieces Counted:1
11-Aug-2021	05:56	JNB	Depot checkout	Goods Checked Out For Despatch - Pieces Counted:1 Manifest Control Number:CPT 1049001 MAWB No:110821JNBCPTX
11-Aug-2021	05:53	JNB	Captured Ops	Waybill Information Received InTo System.
11-Aug-2021	10:40	JNB	Collection Accepted By Driver	Collection Accepted By Driver (Device)
11-Aug-2021	09:02	JNB	Collection Confirmed	Collection Allocated to Driver (Device)
11-Aug-2021	08:13	JNB	Collection Scheduled	Collection Scheduled
11-Aug-2021	08:11	JNB	EWaybill	Collection Request Created : IC8000281814, EwayBill: 88814645996 Attached.
11-Aug-2021	08:11	JNB	Collection Booked	Reference: IC8000281814



# Ewaybill Tracking Report

11-Aug-2021

08:10 JNB EWaybill

EWaybill Created : 888 1464-5996



## Savannah Public Process

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**From:** Andre van der Spuy <avdspuy@iafrica.com>  
**Sent:** Thursday, 21 October 2021 10:00  
**To:** Jo-Anne Thomas  
**Cc:** Savannah Public Process; 'Sabelo Malaza'  
**Subject:** Wind Relic Meetings  
**Attachments:** WRWC letter to DFFE 071021.doc; App A.pdf; App B.pdf; App C.pdf; App D.jpg

Dear Ms Thomas

Below refers.

Apologies for the delayed response but I have just returned to office after having been away (per notice given to you previously).

I will consult with our clients regarding their availability to meet with you and the relevant specialists on their properties and will revert ASAP. I will also need to liaise with our legal counsel regarding availability.

Please find attached letter for your information which was submitted to the Competent Authority.

You have ignored our request to be provided with all the information and have merely provided us with BAR reports (our request stated *inter alia* "All correspondence related to the Wind Relic project should be included."). The BAR reports certainly cannot amount to all the information that we have requested. Please provide the outstanding information without further delay.

Please note that our clients wish to be registered as I&As only by way of submission of their comprehensive comments. The NEMA EIA Regulations make explicit provision for such. The attached letter to the Department confirms this approach. AVDS Environmental Consultants is registered as an I&AP on your database and this is correct.

Sincerely

Andre van der Spuy  
AVDSEC

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**From:** Jo-Anne Thomas <joanne@savannahsa.com>  
**Sent:** Wednesday, 13 October 2021 20:42  
**To:** Andre van der Spuy <avdspuy@iafrica.com>  
**Cc:** Savannah Public Process <publicprocess@savannahsa.com>; 'Sabelo Malaza' <Smalaza@environment.gov.za>  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3 Request for CD copy of information  
**Importance:** High

Dear Mr van der Spuy,

The below correspondence has reference. We have not received a response from you regarding the details of your clients. Please advise in this regard as per our previous request. Please also advise when you would like to arrange a meeting to discuss the projects as per your previous request.

Sincerely

**Jo-Anne Thomas**

Director | Savannah Environmental (Pty) Ltd  
Tel: +27 (0)11 656 3237 | Fax: +27 (0)86 684 0547 | Cell: +27 (0)82 775 5628

*[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)*

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**From:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>  
**Sent:** Monday, 04 October 2021 11:17  
**To:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3 Request for CD copy of information

Dear Ms Thomas

All noted. I have received the package but have not yet opened it (quarantine and other work) so was not aware of the CD within as you did not mention it in your letter of 30/9/2021.

Sincerely

Andre van der Spuy

---

**From:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Sent:** Friday, 01 October 2021 17:33  
**To:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>  
**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3 Request for CD copy of information

Dear Mr van der Spuy,

A CD with all the reports was included in the package couriered to you. You should have received this package yesterday or today.

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**From:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>  
**Sent:** Friday, 01 October 2021 15:04  
**To:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3 Request for CD copy of information

Dear Ms Thomas

Receipt of your letter is acknowledged.

Please kindly provide a CD copy of the information requested in our letter dated 22/9/2021.

Sincerely

Andre van der Spuy

---

**From:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>

**Sent:** Thursday, 30 September 2021 14:03

**To:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>

**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>

**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3

**Importance:** High

Dear Mr van der Spuy,

Please find attached letter for you attention.

Sincerely,

**Jo-Anne Thomas**

Director | Savannah Environmental (Pty) Ltd

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[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

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**From:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>

**Sent:** Wednesday, 22 September 2021 09:56

**To:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>

**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>

**Subject:** Wind Relic environmental applications, COOKHOUSE REDZ3

Dear Ms. Thomas

Please find attached letter for your attention.

Sincerely

Andre van der Spuy

AVDS Environmental Consultants

**From:** Andre van der Spuy <avdspuy@iafrica.com>  
**Sent:** Tuesday, 26 October 2021 12:50  
**To:** Jo-Anne Thomas <joanne@savannahsa.com>  
**Cc:** Savannah Public Process <publicprocess@savannahsa.com>; 'Sabelo Malaza' <Smalaza@environment.gov.za>  
**Subject:** RE: Wind Relic Site Meetings

Dear Ms Thomas

Further to below we propose the following dates as options for the 2 X site meetings with our respective clients whose properties are located close to the wind farms and within the Blue Crane Route Municipal Area:

- Monday, 8 November 2021, 11am (first meeting) and 3pm (second meeting).
- Thursday, 2 December 2021, 11am (first meeting) and 3pm (second meeting).
- Tuesday, 7 December 2021, 11 am (first meeting) and 3pm (second meeting).

At the meetings our clients will outline and demonstrate their concerns with the 5 applications and other associated Wind Relic developments.

As mentioned, it will be imperative that the visual impact assessment, avifaunal and socio-economic specialists also attend the meetings, and preferably all other specialists too.

Please advise us which date suits you as soon as possible since travel arrangements will need to be arranged accordingly.

Sincerely

Andre van der Spuy

**From:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>  
**Sent:** Thursday, 21 October 2021 10:00  
**To:** 'Jo-Anne Thomas' <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Cc:** 'Savannah Public Process' <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** Wind Relic Meetings

Dear Ms Thomas

Below refers.

Apologies for the delayed response but I have just returned to office after having been away (per notice given to you previously).

I will consult with our clients regarding their availability to meet with you and the relevant specialists on their properties and will revert ASAP. I will also need to liaise with our legal counsel regarding availability.

Please find attached letter for your information which was submitted to the Competent Authority.

You have ignored our request to be provided with all the information and have merely provided us with BAR reports (our request stated *inter alia* "All correspondence related to the Wind Relic project should be included."). The BAR reports certainly cannot amount to all the information that we have requested. Please provide the outstanding information without further delay.

Please note that our clients wish to be registered as I&Aps only by way of submission of their comprehensive comments. The NEMA EIA Regulations make explicit provision for such. The attached letter to the Department confirms this approach. AVDS Environmental Consultants is registered as an I&AP on your database and this is correct.

Sincerely

Andre van der Spuy  
AVDSEC

---

**From:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Sent:** Wednesday, 13 October 2021 20:42  
**To:** Andre van der Spuy <[avdspuy@iafrica.com](mailto:avdspuy@iafrica.com)>  
**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** RE: Wind Relic environmental applications, COOKHOUSE REDZ3 Request for CD copy of information  
**Importance:** High

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**Cc:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>; 'Sabelo Malaza' <[Smalaza@environment.gov.za](mailto:Smalaza@environment.gov.za)>  
**Subject:** Wind Relic environmental applications, COOKHOUSE REDZ3

Dear Ms. Thomas

Please find attached letter for your attention.

Sincerely

Andre van der Spuy  
AVDS Environmental Consultants

**ANDRÉ VAN DER SPUY ENVIRONMENTAL CONSULTANTS**  
**O ENVIRONMENTAL MANAGEMENT O CONSERVATION PLANNING O**



CK 2000/028111/23

42 Afrikander Road  
Murdoch Valley South  
Simon's Town  
Cape Town  
7975  
Republic of South Africa

Tel.: 0027 – 21 – 786 2919  
Email : avdspuy@iafrica.com

Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs  
**Attention:** Mr. Sabelo Malaza  
Private Bag X447  
Pretoria  
0001

**By e-mail:** [smalaza@environment.gov.za](mailto:smalaza@environment.gov.za)

Attention: Mr. S. Malaza

7 October 2021

Dear Mr. Malaza,

**FIVE ENVIRONMENTAL APPLICATIONS COMPRISING FOUR (4) WIND ENERGY FACILITY APPLICATIONS AND ONE (1) APPLICATION FOR A MAIN TRANSMISSION STATION AND TWO 400KV POWERLINES ALL CONSTITUTING A PART OF WIND RELIC (PTY) LTD'S OVERALL COOKHOUSE REDZ3 RENEWABLE ENERGY PROJECT SITUATED BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE (DFFE REF. NOS.: UNKNOWN):**

**(I) RECORD OF OBJECTION TO EXCLUSIVE AND NON-COMPLIANT PUBLIC PARTICIPATION PROCESS AND THE APPROVED PPP PLAN DATED OCTOBER 2020; AND**

**(II) NOTICE OF AND ADVICE CONCERNING REQUESTS MADE TO, AND REFUSED BY, THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (THE "EAP").**

1. The environmental applications, and public participation process (PPP) currently underway, for the above referenced five (5) environmental applications refer.
2. This correspondence is directed to the "Competent Authority" whose task it is under the National Environmental Management Act, 2014, (NEMA) to administer and ultimately make a decision on the environmental applications.
3. AVDS Environmental Consultants is a registered Interested and Affected Party (I&AP) in respect of the applications. AVDS Environmental Consultants is mandated to assist several

other potential Interested and Affected Parties (I&Aps) who choose to remain unidentified at this time on account of the reasons outlined in this record which concern them.

4. On 22/9/2021 a letter of complaint containing several requests was sent to the Environmental Assessment Practitioner (EAP), Ms. Jo-Anne Thomas of Savannah Environmental, with copy to the email address of Ms. Nicolette Venter of the same company, and copy to the email address of Mr. Sabelo Malaza, Chief Director: Integrated Environmental Authorisations, Department of Forestry, Fisheries and Environment (DFFE) and who fills the office of the “*Competent Authority*” (CA) in the matter. Our correspondence went further to offer professional advice on the some of the substantial measures required in order to bring the public participation program for the five environmental applications to proper order and compliance with the National Environmental Management Act, 2014 (NEMA), Environmental Impact Assessment (EIA) Regulations, as amended. The CA is therefore assumed to be familiar with the contents of our letter of 22/9/2021 (attached hereto as Appendix A) and which are summarized as follows:

- (i) A brief summary was provided of the Wind Relic (Pty) Ltd solar and wind farm mega-development within the Cookhouse Renewable Energy Development Zone and the directorship of this company which is common to all the applicant companies which are applying for authorization of the respective environmental applications.
- (ii) A brief record of the orchestrated planning and campaigning of Wind Relic (specifically by Mr. Hylton Newcombe, one of the four directors) with specific stakeholders, including the DFFE, towards the incremental development approach of the company which is currently underway and which effects to compartmentalize and minimize the actual (unacceptable) and extensive negative environmental impacts that the total Wind Relic proposed activity will obviously have on the receiving environment.
- (iii) The inherent environmental sensitivities of the Cookhouse REDZ are outlined and mention is made of the ongoing and unacceptable killing of Endangered Cape Vultures, amongst other species, by wind farms already operating in the Cookhouse Renewable Energy development Zone (REDZ).
- (iv) The important role of a proper, NEMA-complaint PPP being part of the Basic Assessment Environmental Impact Assessment process in allowing the views and concerns of the public and stakeholders to meaningfully influence the form of the proposed activity is highlighted. It is pointed out that the current PPP being managed by Ms. Venter of Savannah Environmental, and the EAP, limits I&AP input to being merely recorded comments for inclusion somewhere within the Basic assessment Report and to which the EAP or appropriate specialist will respond. In essence the current PPP is a but a box-ticking exercise which will result in the proposed developments

being nothing more than the applicants' (and other proponents) interests being imposed upon the local, affected (non-contracted majority) community members.

- (v) The importance of mitigating and amending and possibly rejecting the proposed development after honest and objective consideration of with our clients specific and long-established interests, as well as those of other I&APs, including so-called "occupiers", is emphasized.
  
- (vi) The necessity to redesign, make accessible and appropriate the current exclusive PPP in order to include all sectors of the local affected communities (including "occupiers") is advised. The EAP is advised that the sophisticated and highly technical electronic nature of the PPP being conducted remotely by Ms. Venter all but effectively excludes participation of I&APs who classify as "occupiers" (as well as others such as the author who do not have the most up to date electronic facilities). It is explained that any person familiar with the remote and rural area in which these projects are located (like the writer is and like the EAP is required to be) will know that the sophisticated and electronic PPP are foreign to most of the affected local inhabitants (being mainly "occupiers") through circumstances and sometimes choice. The further limitations imposed upon I&APs by exclusive nature of the PPP is advised and the EAP is advised that it is her duty to meet I&APs at their level of capability (not visa versa).
  
- (vii) The failure of the current 45 day overlap comment period to comply with the required "*reasonable opportunity to comment*" that must be provided to I&APs is described and the repeated reliance upon the DFFE's approved PPP Plan (dated October 2020, Appendix B) in order to justify the exclusive and non-compliant PPP is tabled. The EAP's misrepresentation of precautions and exaggerated requirements in terms of directions issued by the Department under the Disaster Management Act, so as to limit and diminish the rights of I&APs to a fair and equal PPP, is mentioned.
  
- (viii) The vulnerability of rural "occupiers", who are estimated to constitute more than 90% of the inhabitants of the receiving environment of the (only) 5 proposed sub-developments, to exploitation by opportunistic developments such as the proposed developments, under direction of an urban and remotely located elite, is explained. The failure of Ms. Venter to exercise her duties to protect and empower the rights of local stakeholders to engage with such proposals that will affect them is stated.
  
- (ix) It is pointed out that Ms. Venter's over-reliance on the approved PPP Plan is unfounded as its short-comings cannot substitute, or in any way minimize, the requirements of the NEMA and the EIA Regulations which govern such matters but which the PPP falsely purports to uphold.

- (x) It is explained that it is impossible for AVDS Environmental Consultants to access the Basic Assessment reports and to provide comment within the 45 day parallel comment period which is too short and unreasonable for reasons therein stated.
  - (xi) Recent relaxation of the country's alert status to Level 2<sup>1</sup> then is given in support for suggested necessary improvements to the current PPP. Proper written notification of all potential I&APs is advised as opposed to the electronic (email) notification that was used.
  - (xii) It was requested that the EAP extend the current comment period until 13 November 2021 in order to give effect to a reasonable opportunity to comment for I&APs.
  - (xiii) The EAP was requested to provide two full copies of all of the information submitted for (all) the Wind Relic applications in an accessible electronic form (such as CD) and/ or hard copies. It was specifically stated that the information provided should not be restricted to just the current reports but should include all correspondence related to the Wind Relic project.
  - (xiv) A face-to-face meeting was requested with the EAP and the visual and socio-economic specialists. The EAP was advised to allow for at least 3 weeks prior notice to such meeting.
5. On 30/9/2021 a letter of response was received from Ms. Thomas. A copy of the letter was evidently provided to the CA by email. A copy thereof this letter is provided as Appendix C. The letter makes various mis-representations<sup>2</sup> in order to defend the actions of the EAP and for the same purpose even strays into past procedural engagements regarding the separate Fronteer and Wind Garden Wind Farm applications. However, for the purposes of this correspondence it is not necessary to engage with the details of such matters now but merely to record that none of the advice given in our letter has been heeded by the EAP nor any of the requests been honoured, per:
- (i) The request to extend the comment period to 13 November 2021 in order to provide a reasonable opportunity to comment has been ignored.
  - (ii) The request to be provided with "*all the information*" pertaining to the associated applications has been ignored and instead only one copy of the (considerably voluminous) Basic Assessment Reports for the 5 "Western Cluster" applications has

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<sup>1</sup> Note that on 1/10/2021 the country's alert status was relaxed even further to Level 1 thereby permitting a further move towards normalisation and thus implementation of a proper NEMA-complaint PPP.

<sup>2</sup> For two examples: (i) the EAP's reference to our "*request for the reports*" whereas our request was for "*all of the information submitted for (all) the Wind Relic applications*", and (ii) the EAP's reference to an invitation to meet was in fact merely an alleged telephonic attempt "*to discuss the possibility of meeting with (her) colleague*" and which only came to the author's knowledge AFTER the offered date of meeting. In a responding email of 31/3/2021 the author specifically stated to the EAP that he "*can meet with you*" contrary to Ms. Thomas' false assertion that the author did not suggest an alternative suitable date to meet – in fact it was the EAP who failed to respond to the author's offer of availability.

been provided - but no additional information relating to the applications, as was also requested.

- (iii) The request for a “face-to-face” meeting has been ignored and instead the EAP has reverted to an offer of a virtual meeting on the basis of an uniformed presumption that our client has a more modern computer and which we should use for the purpose.

The letter of 30/9/2021 states that the PPP Plan approved by the CA “*includes details as to how each requirement of the EIA regulations, 2014 relating to public participation (i.e. Regulation 40 – 44) is to be met*” whereas our advice pointed out to the EAP the numerous failings of the PPP Plan in this regard. It further states, without providing evidence or details, that “*in relation to the participation of occupiers...face-to-face consultation meetings have already been planned ...within the aforesaid review periods...*” whereas we had already pointed out to the EAP her obvious failure to even be able to notify in writing the “occupiers”, amongst others, as is required in terms of the EIA Regulations 41(2)(b)(i) and (ii) due to the use of a highly sophisticated electronic system which is obviously inappropriate to the physical and socio-economic circumstances of most potential I&APs to the applications.

The EAP requests to be advised of the identities of our clients “*in order to properly and fairly consider their specific interests*”.

6. On 22/9/2021 we received a reliable report that only 2 people had participated in the virtual meeting of the same date. Given the controversial nature of the proposed mega-development and the tens of thousands of hectares which is the receiving environment this concerning fact speaks to the inherent failures of the EAP’s electronic and exclusive PPP system in identifying and engaging with affected local communities. However, even more concerning is the conclusion of the presentation; “*(b)ased on the conclusions of the specialist studies, it is concluded that the development of the projects will not result in unacceptable environmental impacts (subject to the implementation of the recommended mitigation measures)*”, and which thus unreservedly displays the pre-determined and applicant-favoured recommendation of the EAP even prior to the limited PPP having been completed. So the PPP is not even intended to have any influence on the EAP’s conclusion and it becomes clear as to why the EAP persists in using the exclusive PPP methods still employed by her and Ms. Venter.
7. On 30/9/2021 we collected, from a neighbouring premises to ours, a single set of hard copies and CD copies of the set of Basic Assessment reports for the 5 applications. No additional information pertaining to the applications was included in the package. The attached photograph (Appendix D) illustrates the 19 volumes of reports available for review during the current 45 day overlap review period.

8. Importantly, on 1/10/2021 the country's alert status in terms of the Disaster Management Act was again downgraded to Level 1 by the President in a move towards normalization of the economy and society with due consideration to the improved health and threat level posed by the Covid 19 pandemic. This is the second relaxation of the Covid19 alert status since the onset of the current comment period. It allows for *inter alia* indoor meetings of maximum 750 people at 50% capacity of the venue and maximum 2000 persons for outdoor gatherings, with health protocols to be applied. The scope for safe face-to-face meetings, such as that requested by us, is therefore undeniable and such meetings are envisaged to occur at our clients properties, and outdoors, which is a further beneficial safety precaution.
  
9. On 4/10/2021 we received, from the CA, and take cognizance of, a copy of the complaint lodged by the Indalo Private Game Association against the conduct of *inter alia* the "EAP" (Ms. Jo-Anne Thomas) and the socio-economic specialist in the environmental applications for the Wind Relic Fronteer and Wind Garden Wind Farms ("the Eastern Cluster"). The complaint was lodged in terms of EIA Regulations (2014) 13 and 14 and concerns *inter alia* the alleged lack of independence and objectivity of the accused parties and the associated prejudice suffered by the complainant, and others, as a result of the accused's conduct and actions in the management of the public participation and Basic assessment processes for those 2 applications. The accused parties are alleged to have *inter alia* deliberately conspired to mis-represent and withhold important information. The formidable and comprehensive complaint has resulted in the suspension of the two associated applications in order to allow for the CA to conduct the required investigation. The complaint has specific relevance to the environmental applications for the 5 Wind Relic "Western Cluster" applications insofar as they are all part of the Wind Relic mega-development within the Cookhouse REDZ and insofar as the same accused parties are involved in the Basic Assessment process for the 5 applications. Importantly, we note that the same PPP Plan (dated October 2020) approved by the CA governs both of the public participation processes for the "Western Cluster" and the "Eastern Cluster" environmental applications (which are in total 7 applications).
  
10. At this point in time we have not completed a review of the 5 voluminous Basic Assessment Reports and their associated specialist studies and other appendices due to their previous practical inaccessibility; the very short time that they have been in our possession; existing work and personal commitments; and, the voluminous nature of all the reports which will anyway require a substantial amount of dedicated days for purposes of conducting a reasonable and proper review of the material and which will anyway exceed that very limited review time being permitted currently by the EAP. It must also be noted that since the EAP has not willingly acceded to our reasonable and permitted request to be provided with "*all information*" for purposes of the intended review it appears likely that it will be necessary to initiate a request(s) for same under the Promotion of Access to Information Act 2 of 2000 (PAIA) and which will likely result in further delays in the delivery of a comprehensive and properly informed comment on the subject applications to be made on behalf of our clients. The resultant likely delay must naturally fall to account of the EAP. It has been noted that the

approved PPP Plan, dated October 2020, that is being used to govern the public participation process for the Fronteer and Wind Garden Wind Farm applications (with which we are familiar) is the exact one that is used by the EAP to justify the current PPP for the 5 subject applications. The PPP Plan is now approximately one year old and is outdated and inappropriate.

11. In regard to our request for a face to face meeting with the EAP and some specialists it must be noted that the PPP Plan dated October 2020 (Appendix B) explicitly stipulates such meetings in order to meet the requirements under “*Regulation 41(6) – Relevant information available and accessible*” where it states, “Face-to-Face meetings can be undertaken where the sanitary conditions can be guaranteed” (Underling supplied). Therefore the refusal of the EAP to meet in person with us is contrary to the PPP Plan notwithstanding its numerous other failings. **With this in mind AVDS Environmental Consultants will this point onwards insist on in-person meetings being granted by the EAP and specialist at the properties of our clients who are landowners near and next to the proposed developments.** Such site meetings are the only way in which the true extent of potential impacts of the proposed developments on such properties and enterprises can be properly envisaged and contemplated, as they are required to be.
12. Based on extensive previous dealings with the same members of Savannah Environmental, including the EAP, Ms. Jo-Anne Thomas, we have no trust or faith in their independence and objectivity regarding their management of the subject applications. The fact that it is a company which that has received awards for from SAWEA, which is concerned with the furtherance of the wind industry and wind farms, adds support to our reservations as does the recent complaint made by Indalo Association. These are deciding factors in our reticence to subject our clients’ precious interests, and their identities, to the EAP’s fundamentally flawed PPP. Participation in the current fundamentally flawed PPP is a risk to which we are not prepared to expose our clients’ interests. Rather, our clients’ identities will be revealed, if and as they wish, within the context of a properly compliant PPP and where they will register their interests, as I&APs, by way of commenting on the applications, per EIA Regulation 42(a), and / or at the site meetings.
13. AVDS Environmental Consultants now raise formal objection to the PPP Plan which was approved by the DFFE in November 2020. The DFFE’s approval of the PPP Plan was an administrative decision taken under the purposes of NEMA, and that decision has a significant influence on the interests and rights of people affected by that decision including our clients. That decision was however not informed by any form of public consultation as it should have been, and neither was the decision notified publicly at the time so as to allow affected parties the opportunity to appeal the DFFE’s decision of approval. The failure on the part of the CA to have implemented a unilateral decision of significance without public input opportunity amounts to a fatal flaw across the board in the 7 environmental applications to which it is being applied. Because of this, actions and decisions stemming from implementation of the October 2020 PPP Plan are open to review.



14. We ask that the CA take into consideration our requests made to the EAP in our attempts to participate fully in the current PPP. The CA is also requested to note our detailed and justified criticism of the PPP and approved PPP Plan itself. Accordingly, and in order to restore the rights of our clients and all other I&APs including and especially so-called “occupiers”, the CA is respectfully advised to:

- (i) Withdraw its approval of the October 2020 PPP Plan and direct EAP to conduct a properly NEMA-compliant and inclusive PPP which fits with the character of the receiving environment and socio-economic circumstances of the affected local communities; the relevant alert status of the country under the Disaster Management Act; and, the extensive and controversial nature of the proposed renewable energy mega-development . The new PPP should specifically empower I&APs to reasonably and fairly influence the proposed development as distinct from merely issuing comment for inclusion by the EAP in some part of the Basic Assessment Report(s).
- (ii) Inform the EAP of the consequences of having rejected our normal, reasonable and justified requests, to their full extent.

15. Please note that the writer will be out of office and unavailable for a period of some 11 days (from 8 – 19 October 2021)

16. Please acknowledge receipt of this correspondence.

Sincerely

A handwritten signature in black ink, appearing to read 'Andre van der Spuy', with a stylized flourish at the end.

Andre van der Spuy

**ANDRÉ VAN DER SPUY ENVIRONMENTAL CONSULTANTS**  
**O ENVIRONMENTAL MANAGEMENT O CONSERVATION PLANNING O**



CK 2000/028111/23

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Attention: Ms. J. Thomas

**By e-mail: publicprocess@savannahsa.com; joanne@savannahsa.com**

22 September 2021

Dear Ms. Thomas,

**FIVE ENVIRONMENTAL APPLICATIONS COMPRISING FOUR (4) WIND ENERGY FACILITY APPLICATIONS AND ONE (1) APPLICATION FOR A MAIN TRANSMISSION STATION AND TWO 400KV POWERLINES ALL CONSTITUTING A PART OF WIND RELIC (PTY) LTD'S OVERALL COOKHOUSE REDZ3 RENEWABLE ENERGY PROJECT SITUATED BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE (DFFE REF. NO.: TO BE ISSUED):**

- (I) RECORD OF OBJECTION TO, AND ASSOCIATED COMMENT ON, CURRENT PUBLIC PARTICIPATION PROCESS, AND**
  - (II) REQUESTS FOR INFORMATION; EXTENSION TO UNREASONABLE COMMENT PERIOD; AND, A MEETING WITH THE ENVIRONMENTAL ASSESSMENT PRACTITIONER AND SPECIALISTS.**
1. The email notification of 3/9/2021 from Savannah Environmental refers.
  2. It is important to understand the overall (undivulged) context of the Wind Relic (Pty) Ltd. project and its development process to which the five (5) subject environmental applications relate and which are:
    - (i) Hamlett Wind Farm (of up to 333MW and up to 37 turbines; authorization applied for by Hamlet (Pty) Ltd).
    - (ii) Ripponn Wind Farm (of up to 324MW and up to 36 turbines; authorization applied for by Ripponn (Pty) Ltd).
    - (iii) Redding Wind Farm (of up to 576MW and up to 64 turbines; authorization applied for by Redding (Pty) Ltd).

- (iv) Aeolus Wind Farm (of up to 297MW and up to 33 turbines; authorization applied for by Aeolus (Pty) Ltd).
  - (v) A Transmission Substation and two 400kV powerlines (authorization applied for by Wind Relic (Pty) Ltd).
3. The four Directors of the company Wind Relic (Pty) Ltd are the same 4 individuals who are also the Directors of the 4 different wind energy facility applicants listed above. They are also the same 4 directors of the Fronteer and Wind Garden Wind Farms which are also have being promoted by Wind Relic (Pty) Ltd. They are also the same 4 Directors the two solar farms (Solaris Fields and Sun Garden Solar farms) which are being prepared for environmental application shortly. In essence, all of the mentioned 8 different renewable energy projects within the Cookhouse Renewable Energy Development Zone (REDZ) are under the same directorship as that of the parent company, Wind Relic (Pty) Ltd. The 8 projects, along with the associated massive substation and powerline projects, are therefore merely all components of one massive renewable energy project within the Cookhouse REDZ in which *“splitting the whole project site into smaller projects as advised by Environmental Affairs<sup>1</sup>”* has been implemented according to strategic planning objectives and in order to facilitate passage of, and no doubt also reduce overall risk to, the massive Wind Relic project. The extent of the Wind Relic project, Director, Mr. Hylton Newcombe, has described as *“(providing) the geographic footprint to build one of the largest independent energy assets in the world.”<sup>2</sup>* It is clear that the sole purpose of the Wind Relic venture is a commercial one in which it is expected that the different sub-projects components (and resultant commitments by them to the local affected environment and affected communities) will be ultimately be commercially traded by the four Directors for profit once the required authorisations are to hand, and as is the common course of such business in the renewable energy industry. The fact that Wind Relic had already advised, in a letter dated 23/2/2020, and in a show of confidence, its contracted landowners (being themselves beneficiaries of its *“creation of profitable partnerships”* with *“Eastern Cape Landowners”*) that it had made efforts to procure turbines already in *“December 2019”* casts serious doubt on the associated environmental applications being independently managed, and administrated by the Department of Forestry, Fisheries and Environment (DFFE), towards the required outcome of a fair decision which is free of undue government influence (the influential involvement of the DFFE during the early 2020 planning by Wind Relic having been noted). Unconditional statements<sup>3</sup> of confidence to their partnered landowners made after having previously engaged with the Blue Crane Route Municipality<sup>4</sup>, DFFE, Eskom and other government and business stakeholders, *“(t)his concept of co-operative engagement shapes the very essence of our strategy”* and *“(w)e are deeply committed to the promises we have made to all our partners (and stakeholders) in achieving this positive outcome”*, give sound reason for non-contracted and negatively affected Interested and Affected Parties (I&APs) to doubt the authenticity of the current Basic Assessment environmental applications. It is

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<sup>1</sup> WhatsApp message from Hylton Newcombe of the “Wind Relic Team” , 25/5/2020.

<sup>2</sup> Letter from Wind Relic (signed by Mr. Hylton Newcombe) dated 23/2/2020.

<sup>3</sup> Letter from Wind Relic (signed by Mr. Hylton Newcombe) dated 23/2/2020.

<sup>4</sup> Blue Crane Route Municipality Presentation to Council dated 29/11/2018.

therefore quite clear that the current environmental applications and legislated public participation process are merely the culmination of a long-orchestrated planning and engagement process (with selected stakeholders whose support is deemed to be crucial to the success of the Wind Relic project) which has been “set up” to achieve the conditions necessary for the Competent Authority to issue pre-determined decisions of approval – irrespective of what information and views the intentionally limited (evidently with endorsement of the Competent Authority) and exclusive public participation process may yield.

4. This incremental developmental approach being undertaken by Wind Relic and its Directors of the associated companies, under advice of the DFFE, is not endorsed under the National Environmental Management Act, 2014, as amended (NEMA). This is because, apart from its business objectives, it is also designed to compartmentalize and minimize the actual (unacceptable) and extensive negative environmental impacts that the total Wind Relic proposed activity will obviously have on the receiving environment (including the declining Endangered Cape Vulture population) and to enable the different development parcels to be recorded and submitted separately and at different times to the Competent Authority thereby hiding the real total environmental impact of the Wind Relic development. The correct approach, under the guiding principles of integrated environmental management in Section 2 of NEMA which are necessary in order to achieve development which is environmentally sustainable, is for the Wind Relic entire project to be applied for as a whole and to be administered likewise.
5. The five (5) wind farm environmental applications which are the subject of the current single public participation process are (some) components of the “Western Cluster” of Wind Relic’s overall renewable energy project. Approximately 35 kilometers further east, located north-east of Grahamstown, occurs the “Eastern Cluster” part of Wind Relic’s renewable energy project and which consists of 2 wind farm<sup>5</sup> applications (at present) and for which the final Basic Assessment Reports were submitted to the DFFE last month. However, this still does not describe the full extent of Wind Relic’s massive renewable energy project as there remain additional planned renewable energy facility components by Wind Relic, such as the Solaris Fields and Sun Garden Solar Farms which will also require dedicated environmental applications to be submitted to the DFFE after due public participation. The strategically compartmentalized approach employed by Wind Relic in order to achieve their Cookhouse REDZ renewable energy project ambition, which Wind Relic has stated will be the biggest renewable energy project on the continent, thus becomes clear.
6. It is also important to consider that this development is being squeezed within a the undeveloped remaining (unsuitable) area of the Cookhouse REDZ, which REDZ already saturated beyond its sustainable threshold<sup>6</sup> by existing and approved wind farms, and which

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<sup>5</sup> Fronteer and Wind Garden Wind Energy Facilities for which environmental authorisation has been applied for.

<sup>6</sup> There should be no wind farms or powerline-related developments within the entire Cookhouse REDZ based solely upon the significant presence of the Endangered Cape Vulture. International studies that have

was from the start significantly environmentally unsuitable for any form of renewable energy development (given that it is the confirmed habitat of Endangered Cape Vulture and many other endangered plant and animal species)<sup>7</sup>. It thus becomes obvious that the Wind Relic development within the Cookhouse REDZ will result in massive pollution of the sensitive environmental environment and will unquestionably amount to unsustainable environmentally unsustainable development. The proposed wind farm development will be damaging beyond meaningful mitigation and simplified justifications (of, for instance, the superseding “need” for renewable energy or the “fight” against climate change). Being located with confirmed vulture habitat it will undoubtedly be the greatest addition yet to the ongoing cumulative killing of Endangered Cape Vultures in the area – an impact that should rightly see prosecutions of the offending existing wind farms being undertaken and the same wind farms being removed entirely from the area. Flawed as this and some other REDZs are (being but the creation of overriding political and business ambitions) it was never intended that the entire Cookhouse REDZ should be developed from boundary to boundary and it is a gross misunderstanding to interpret a REDZ as a zone in which renewable energy is “encouraged” or in which environmental authorisations are a rightful expectation of proponents. After all, the Cookhouse REDZ falls within a critically important Albany Centre of Botanical Biodiversity and Endemism (the “Albany Hotspot”).

7. The public participation process is a critically important aspect of the environmental application process as it is the means by which the proposed activity is amended in order to respond to local (affected) community needs and wishes. It is therefore as equally (or more) important as the applicant’s interests and the specialist studies in the application process and the proposed activity itself is required to respond and be amended in order for to achieve “*the integration of social, economic and environmental factors...*”<sup>8</sup> necessary to arrive at the “*best practical environmental option*”<sup>9</sup> and which will then constitute sustainable development. It is not sufficient for the Environmental Assessment Practitioner (EAP) and specialists to respond to I&APs concerns in mere words (dismissals) put down in a Comments and Responses Report which is then appended to the Basic Assessment Report. This principle is seen under *inter alia* NEMA Section 2(4)(a)(viii) in which “*...negative impacts on the environment and people’s environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimized and remedied.*” In other words, no potential impact can be left unattended to and the course of action by the EAP to deal with potential impacts is clearly given with the final option of action being that such impacts be “*minimized and remedied*”. The current public participation process being conducted by Ms. Venter fails to meet these requirements, and is in essence an expediated

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long dictated that wind farm development near vulture habitat must be avoided at all costs. Likewise the presence of existing wildlife and ecotourism enterprises should direct all such developments away from the region and even the Cookhouse REDZ itself should rightly not exist.

<sup>7</sup> The operating Cookhouse & Amakhala wind farms continue to kill endangered Cape Vultures still after many years without effective intervention of the DFFE or the industry and adjacent, newly-constructed Golden Valley Wind Farms do/ will do likewise. A concerted effort by the wind industry, DFFE and other wind farm-friendly conservation organisations (e.g. Birdlife South Africa) is underway to suppress outside knowledge of these killings.

<sup>8</sup> NEMA, Preamble

<sup>9</sup> NEMA Section 2(4)(b)

box-ticking exercise, with the result that the proposed developments are nothing more than the applicants' and other proponents interests being imposed upon the local affected (non-contracted majority) community members.

8. The 5 referenced environmental applications and associated projects directly negatively impact upon the interests of the clients of AVDS Environmental Consultants. It is therefore important that these existing and current negative impacts be assessed specific to such interests and that the impact findings be recorded fairly and honestly in the submitted applications and Basic Assessment Reports by properly independent EAP and specialists, as required by NEMA. Most importantly, it will be necessary that the development proposal itself responds meaningfully to the concerns and objections of I&APs as opposed to mere worded responses in the reports. Proper mitigation of the costs/ negative impacts of the applicants' actions on non-participating community members (i.e. those who do not stand to gain financial or other benefit but instead incur only losses) need to be specifically identified and included and this will only be possible via an accessible and all-inclusive public participation process. Failure to do so will preclude the Competent Authority from arriving at a decision on each separate application which is rational and justifiable. The same requirements and associated rights of representation apply to every other affected party, including those that constitute so-called "occupiers"<sup>10</sup>.

9. However, in order to obtain and record properly the required representations of I&AP interests it will be necessary to conduct a public participation process that is fully compliant with the NEMA<sup>11</sup> and PAJA<sup>12</sup> and that is inclusive of all the sectors of the affected local communities (which are scattered but extensive). Unfortunately the exclusive and abbreviated public participation process currently underway for the subject 5 environmental applications is variously non-compliant and wholly inadequate for the reasons described (some of the specific failings of the public participation process are outlined below). It therefore requires fundamental redesign and expansion, followed by implementation that is inclusive, accessible and relevant to all sectors of the affected community (including so-called "occupiers").

10. The public participation process methodology that has been launched is of a highly sophisticated and technical nature and is reliant purely upon electronic gadgetry and remote connectivity and an ability to confidently understand and operate such technology by participants. It is being orchestrated remotely from the desk of Ms. Venter who is located in Johannesburg and who sits approximately 1000km away from the projects' areas and the many affected local communities. Therefore, unless an I&AP is very highly literate and educated; possessed of the most modern and sophisticated computer technology; within an area having remote communication capability; and able to understand and operate such technology, then they will be

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<sup>10</sup> The term "occupiers" is used to describe that element of society described by use of the term in the 2014 NEMA EIA Regulations 41(2)(b)(i) & (ii).

<sup>11</sup> NEMA EIA Reg PPP

<sup>12</sup> PAJA

entirely excluded from this public participation process. In fact they will not even have received the emailed notification of 3/9/2021. Such technology then requires access to constant electrical power and electronic communication connectivity. Anyone who is familiar with the remote and rural area in which these projects are located (like the writer is) will know that the characteristics, requirements and conditions described here are foreign to most of the affected local inhabitants (being mainly “occupiers”) through circumstances and often choice.

11. Furthermore, before one is even able to access the reports via the website link that ultimately (presumably) links through to the Savannah Consultants public documents website where the report links are available it is necessary to first undertake some sort of electronic registration process first and which requires a password and some form of electronic authentication – a most complicated and user-unfriendly process of which the implications are unknown<sup>13</sup>. As an alternative Ms. Venter has undertaken to provide some other electronic website link functions by which the reports could be provided (presumably again some sort of electronic verification process is required for access) but these would no doubt require many hours/days of work by the I&AP to simply download all the material for the 5 applications and would also require considerable and reliable internet capacity. This would be impossible to achieve (and then study) on a mobile phone and would only be achievable with the most modern computer. While the author is reasonably competent with computer technology (as adjudged by the form and delivery by email of this correspondence) it is admitted that he has neither the ability nor knowledge, nor the requisite modern electronic facilities, nor the considerable (non-productive time) required, to attempt to engage with such highly technical electronic processes merely to obtain copies of the information for review purposes which NEMA requires to be freely and easily available to I&APs. As confirmed to Ms. Venter earlier this year, the author’s (relatively modern) computer laptop is unable to operate the electronic platforms necessary to participate in the remote, virtual form public meetings (“Zoom” meetings and such like) that are the only form of “live” consultation offered by Ms. Venter in the notification. No publicly available hard copies of the information are provided with the Covid 19 situation being used once again as a convenient excuse, and as has now become entrenched standard practice for environmental applications under administration of the DFFE.
  
12. Turning now to the allotted short 45-day period within which comment is permitted by Ms. Venter and which is evidently condoned by the DFFE by means of the approved public participation process plan<sup>14</sup> to which Ms. Venter refers as justification for the current public participation process. This contrary to the requirements of NEMA Environmental Impact Assessment Regulations (2014, as amended)<sup>15</sup> which requires that “*a reasonable opportunity to comment on the application*” be provided. A total of

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<sup>13</sup> For instance, would electronic verification automatically be deemed to constitute I&AP registration?

<sup>14</sup> The public participation plan approved by the DFFE, like the Basic Assessment reports, has not been viewed.

<sup>15</sup> NEMA EIA Regulations 41(6)(a)

no less than five environmental applications and associated documentation (all being of relevance to us) undoubtedly constitutes a voluminous body of information and will require thorough consideration and probably consultation with other parties prior to the finalization of a properly informed and substantiated comment and/ or objection. The extremely limited 45-day comment period does not allow for these onerous but important tasks to be undertaken and completed in time to meet the deadline. The preposterousness of providing just a 45-day comment period for review of (and reasonable comment on) five (5) environmental application Basic Assessment reports dealing with a huge and complicated, multicomponent project which extends over a massive geographical range will be obvious to any independent practitioner, as it must be to the Competent Authority too. The limitations of accessibility already described simply compound the level of unreasonable consideration.

13. Over and above the projects-specific challenges outlined above, with which persons wishing to review the information are shouldered, is the added burden of their everyday normal work and domestic obligations. But that is not yet the limit of priority demands placed upon I&APs generally since, in most cases, the domestic burden on ordinary citizens is now considerably more increased by the consequences of the Covid19 pandemic. It is thus of grave concern to note the flippant regard given by the EAP, Ms. Venter, and apparently the DFFE where no allowance is made to I&APs in recognition of these additional challenges. Yet, on the other hand, the excessive latitude granted to consultant “team” by themselves in order to leverage every opportunity to diminish the public participation process on the same basis (i.e. the Covid 19 situation), even to the extent that the legislated rights of I&APs are knowingly violated in the process, is grossly unethical (evidently facilitated and justified under the DFFE’s approved public participation plan to which Ms. Venter defers as justification).
  
14. The current public participation process is an elitist and exclusive one which appears designed to minimize unfavourable comment and objection which could damage the progress of the applicants’ and Wind Relic (Pty) Ltd.’s interests. Through its calculated management of multiple environmental applications data<sup>16</sup> simultaneously via a procedurally-condensed single public participation process it clearly seeks to overwhelm affected I&APs (those few that happen to become aware of it) with the sheer number (5) and volume of the Wind Relic promoted environmental applications and documentation. When considered together with the proponent’s other “Eastern Cluster” renewable energy environmental applications the mass of applications and documentation creates the unreasonable circumstances within which no I&AP affected by all of these Wind Relic applications is able to react or respond properly and with due consideration, if at all. This is undoubtedly an intended circumstance and outcome created by the EAP and Ms. Venter, and the applicant, and possibly the DFFE too (given our knowledge that considerable planning effort was put into the

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<sup>16</sup> The extent of the information remains unknown to the author and clients but, based on experience with similar renewable energy applications, we anticipate a huge record.



design and of the launch of this multiply-application project by Mr. Newcombe<sup>17</sup> and “Environmental Affairs”).

15. Given the highly exclusive character of the public participation process it is necessary to note that it is estimated (by the writer) that perhaps 90+% of the inhabitants within the “receiving environment” of the Wind Relic (Pty) Ltd projects are so-called “occupiers” NEMA<sup>18</sup> of properties and locations. Their status and rights under law are equal to that of any other citizen of South Africa. Their socio-economic reality on the ground is however drastically different to most others being a sector of society which tends to be of the most marginalized in South African Society. In our experience “occupiers” are as much the victims of their rural circumstances (poor level of education and rural remoteness) as they are the sustained abuse of rights by political (government) and business interests of the urban elite who seek to exploit opportunity in the rural environment. The growing renewable energy industry, and the opportunistic financial institutions in South Africa, are prime culprits in such rural exploitation and the current Wind Relic applications stand as solid testimony to this. It is the duty of the environmental consultant to ensure that the rights of “occupiers” are strongly protected and fully availed and that individuals are properly engaged with during the public participation process in a respectful manner and at an appropriate level. Based on our current knowledge, Ms. Venter has failed to ensure the rights of I&APs (as she also has with the Wind Relic “Eastern Cluster” renewable energy applications).
16. The DFFE-approved public participation plan (not yet viewed by the author) but as referred to in the notification letter is used by Ms. Venter to justify the current public participation process. Reliance upon the DFFE-approved plan is unfounded as its short-comings cannot substitute, or in any way minimize, the requirements of the NEMA and the EIA Regulations which govern such matters. Based solely on the requirement for I&APs to be provided with a “*reasonable opportunity to comment*” the law has already been violated (and it thus appears that the approved public participation plan is non-compliant).
17. In light of the above-described limitations and deprivations imposed under the current public participation process the following matters are tabled for your attention:
  - I. It is impossible, for reasons explained, for AVDS Environmental Consultants to participate in the virtual meetings and obtain reviewable copies of the information pertaining to the 5 environmental applications under the current public participation process.

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<sup>17</sup> Whatsapp communication from “Wind Relic Team” dated 25/5/2020.

<sup>18</sup> The term “occupiers” is used to describe that element of society described by use of the term in the 2014 NEMA EIA Regulations 41(2)(b)(i) & (ii).

II. Notwithstanding the limitation already imposed and described above, it is impossible for AVDS Environmental Consultants to obtain, properly review and consider, and prepare substantiated comments on, the information for the 5 applications within the allotted 45 day comment period which is too short and thus unreasonable.

III. All considered, objection is hereby recorded against the current public participation process. It will be necessary for the current public participation process to be entirely redesigned (and expanded), and then implemented, in order for it to meet the requirements of NEMA and the NEMA EIA Regulations for a proper public consultation process in which the rights of all potential I&APs are protected and promoted. Since Wind Relic has chosen to split its massive project into many separate sub-projects and associated environmental applications it will be appropriate to also split the existing public participation process into reasonable separate processes, or perhaps a longer (more “reasonable”) one, so that the relevant information can be considered and processed by the potential I&APs and local communities. Sufficient time will need to be allowed for to such ends and a more accessible (non-electronic option must be provided). A plan of the envisaged public participation process, with attached timeframe should be presented to I&APs for approval. The country’s recent move on 13 September 2021 to Level 2 under the Disaster Management Act for dealing with the consequences of the current Covid-19 pandemic should be embraced since it creates considerable scope for such changes to be implemented and especially the ability to meet with community members and other I&APs on a face-to-face basis (not that such measures were ever ruled out under the previous emergency status). The public engagement process for these applications must be in line with the recent relaxation to Level 2 alert status. Proper written notification<sup>19</sup> must be sent to all potential I&APs and the I&APs listed for previous environmental applications<sup>20</sup> for which properties common to the those proposed for the Wind Relic development should be included in the list of potential I&APs for the current projects.

IV. Under a new redesigned and legally-complaint public participation process it will be necessary for Ms. Venter to notify, directly in writing or by some other legally-complaint means, all “potential” I&APs as well as all “occupiers” and landowners of (i) properties subject to the proposed development, and (ii) properties adjacent to subject properties. The current public participation process is fundamentally non-complaint with NEMA on this basis.

V. In consequence of the above, and notwithstanding the advice proffered elsewhere, it is requested that the comment period be extended to 13 November 2021 and which would be a justifiable move in the direction of what would amount to the strict NEMA

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<sup>19</sup> Or alternative methods as specified under Section 47D of NEMA.

<sup>20</sup> Savannah Environmental will already be in possession of same having been the appointed environmental consultants in many of the previous applications referred to (such as the various different Spitskop Wind Energy Facilities and environmental applications).

EIA Regulations requirement for a “reasonable opportunity” to be provided to I&APs (including this one) to comment on the five Basic Assessment Reports and their associated specialist study reports. It will however be necessary to thereafter provide a further comment period (at the least) in order for I&APs to review the consequences of their comments and to ascertain how their established interests and knowledge of local matters have been fairly and independently included by Ms. Venter on a basis that is equal to her management of the opportunistic and outside interests of the applicant(s). Please also be hereby advised that the author will be out of office for a 10 day period during the current comment period on account of a prior commitment and therefore the 45-day review period, which was launched without warning or notice, is effectively a 35 day one.

VI. Furthermore, for the reason mentioned, you are kindly requested to provide the author with two full copies of all of the information submitted for (all) the Wind Relic applications in an easily and generally accessible electronic format (such as on a CD) and/ or to provide hard copies of same. Please note that the request is not restricted to just the current reports pertaining to the 5 environmental applications but would include, for instance, the minutes of meetings held between members of Savannah Environmental and/ or the Applicant(s)/ Wind Relic and/ or the DFFE since 2018. All correspondence related to the Wind Relic project should be included. Amongst other matters, this will enable the procedural correctness of the applications to be ascertained and for the cumulative impact of the Wind Relic projects to be considered. Once the information is received it will be possible to commence the intended review, subject to other standing commitments and obligations. Please ensure that the documents are received at least 3 weeks prior to the requested meeting (see below) in order that we can properly prepare ourselves for that meeting.

VII. A meeting is requested with you to communicate our clients concerns directly and to demonstrate the clients long-established interests, and which stand to be damaged by the applicant(s) proposed activities, and therefore deserve proper and fair consideration in the decision-making processes which will be informed by the Basic Assessment Reports. The meeting should be minuted and should occur at our clients property and it will be important that the visual impact specialist and social impact specialist also please attend. Subject to existing commitments we would need at least 3 weeks notice to plan for the meeting. Please confirm your/ Ms. Venter's in principle agreement to meet with us and that we should proceed with the necessary further arrangements for the meeting once a mutually suitable date for the meeting has been agreed upon.

18. It is recorded that the above matters and requests are consistent with Ms. Venter's stated invitation to address to her any matters of clarification and requests for additional information, per her statement in the letter of notification dated 3/9/2021: *“Please do not hesitate to contact us should you require additional information and/ or clarification regarding the projects. Our team welcomes your participation and look*

*forward to your involvement throughout this process.*" It must be noted that the author has not been able to review the information pertaining to the current applications, for reasons already stated, and thus reserves the right to amend the advice given herein and elsewhere.

19. Under the circumstances and for the reasons described in this objection, as matters stand the Competent Authority will be unable to make a fair and justifiable decision on the applications that accords with the principles and requirements of the Promotion of Administrative Justice Act No. 3 of 2000. Therefore, and in the interests of all parties, we look forward to being empowered to participate in a redesigned and legally compliant public participation process(es) alongside other potential I&APs. It is therefore necessary to ensure that a proper and inclusive public participation process is undertaken so as to ensure that the interests of non-contracted I&APs, are properly and honestly reflected in the findings and recommendations of the reports – and most importantly too in the physical design of the proposed massive industrial activity (should it be approved).

Please acknowledge receipt of this correspondence.

Sincerely



Andre van der Spuy

CC

1. The "Competent Authority"  
Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and Environment  
**Attention:** Mr. Sabelo Malaza  
**By e-mail:** [smalaza@environment.gov.za](mailto:smalaza@environment.gov.za)

**PUBLIC PARTICIPATION PLAN**  
**IN TERMS OF THE DIRECTIONS REGARDING MEASURES TO ADDRESS, PREVENT AND COMBAT THE**  
**SPREAD OF COVID-19 RELATING TO NATIONAL ENVIRONMENTAL MANAGEMENT PERMITS AND**  
**LICENCES DURING COVID-19**

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND**  
**GRAHAMSTOWN, EASTERN CAPE PROVINCE**

**October 2020**

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The restrictions enforced in terms of Government Gazette 43096 which placed the country in a national state of disaster limiting the movement of people to curb the spread of the COVID-19 virus has placed some limitations on the commencement and continuation of the public consultation as part of an EIA process. Considering these limitations, the following consultation process has been designed and will be implemented, on approval by the Department of Environment, Forestry and Fisheries (DEFF), to cater for the conducting of the public participation process which includes I&APs, the competent authority, directly impacted landowners/occupiers, adjacent landowners/occupiers, relevant Organs of State departments, Municipalities, ward councillors and other key stakeholders.

**PROJECT DETAILS**

**Proposed Activity:** The development of a cluster of nine (9) projects which includes six (6) wind energy facilities, two (2) solar PV facilities and one (1) Main Transmission Substation (MTS) between Somerset East and Grahamstown within the Cookhouse Renewable Energy Development Zone, as well as the Eastern Strategic Transmission Corridor in the Eastern Cape Province. The identified project sites for the projects are classified into western and eastern sections.

**Location:** The entire extent of the projects is within the Sarah Baartman District Municipality in the Eastern Cape Province. The western section of the project sites is located within the Blue Crane Route Local Municipality and the eastern section is within the Makana Local Municipality.

The following infrastructure will be developed for the wind energy facilities:

- Wind turbines;
- Centralised inverter stations or string inverters;
- On-site facility substations;
- Overhead power lines;
- Main access roads and internal access roads to provide access to the turbines and substations;
- Temporary laydown areas; and
- Operation and Maintenance buildings.

The following infrastructure will be developed for the solar PV facilities:

- Solar PV Panels;
- Centralised inverter stations or string inverters;
- On-site facility substations;
- Overhead power lines;

- » Cabling between the panels, to be laid underground where practical;
- » Main access roads and internal access roads within the PV panel array areas;
- » Temporary laydown areas; and
- » Operation and Maintenance buildings.

The following infrastructure will be developed for the Main Transmission Substation:

- » Busbars and transformers;
- » Fencing; and
- » An access road.

### **PUBLIC PARTICIPATION PLAN**

The public participation (PP) process will be undertaken in accordance with the requirements of Regulations 39 to 44 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, (GNR 326) and the Department of Environmental Affairs Public Participation Guideline 2017. The aim of the public participation process is primarily to ensure that:

- » information containing all relevant facts in respect of the proposed projects is made available to potential stakeholders and I&APs;
- » participation by I&APs is facilitated in such a manner that all potential stakeholders and I&APs are provided with a reasonable opportunity to comment on the proposed projects; and
- » comments received from potential stakeholders and I&APs are recorded and incorporated into the EIA process.

The traditional means and opportunities available for the undertaking of public participation are still covered and implemented as part of this plan considering the current limitations. Alternative means of undertaking consultation has been designed and will be implemented by Savannah Environmental to ensure that I&APs are afforded sufficient opportunity to raise comments on the projects through an interactive web-based platform readily available and accessible to any person illustrating interest in the projects and enables the public participation process to be undertaken in line with Regulations 41 to 44 of the EIA Regulations, 2014, as amended. This online stakeholder engagement platform allows the EAP to visually present details regarding the projects and our consultation documentation, including project maps and plans, presentations and posters regarding the projects, and reports available for review. The use of online tools enables stakeholders and I&APs to explore the project-specific content in their own time and allow them to participate in a meaningful way in the consultation process. The online platform allows for instant feedback and comments to be submitted, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting. The online stakeholder engagement platform considers the limitations applied by the Disaster Management Act Regulations prohibiting the gathering of people, as well as limitations which certain I&APs may have in terms of access to computers and internet as well as access to public spaces not open for operation or which have restricted access.

The benefits of the online stakeholder engagement platform include:

- » Ability to create a dedicated project-specific online platform to enable easy access to project-related information.

- Ability to reach a wider audience, allowing more widespread consultation for major infrastructure projects.
- Allowing stakeholders and I&APs the opportunity to engage on a project without leaving their office or home.
- Enabling stakeholders and I&APs to register their interest in a project (for inclusion on the project database), and automatically gaining access to comprehensive project documentation.
- Enabling the EAP to maintain a complete database of I&APs through maintaining a record of persons accessing the online stakeholder consultation platform.
- Enabling the EAP and stakeholders/I&APs to meet virtually.
- Provides a resilient solution to a public consultation process.

Where I&APs do not have the applicable facilities i.e. access to internet, mobile phones, or computers, provision has been made to include these I&APs in the consultation process by consulting with the Ward Councillor, the ward committee members, community representatives and local community forum members.

The schematic illustration below provides an overview of the tools that are available to I&APs and stakeholders to access project information and interact with the public participation team to obtain project information and resolve any queries that may arise, and to meet the requirements for public participation.

i. Stakeholder Identification and register of I&APs	<ul style="list-style-type: none"><li>• Register as an I&amp;AP on the online platform or via completion of a form and provision of contact information, by responding to an advert, or sending a 'please call me' which will be responded to with a telephone call.</li><li>• State interest in the project.</li><li>• Receive all project related information via email, post or other appropriate means.</li></ul>
ii. Advertisements and notifications	<ul style="list-style-type: none"><li>• Advertisements, site notices and radio announcements and notifications provide information and details on the projects and where to access project information.</li><li>• Notifications regarding the EIA process and availability of project reports for public review to be sent via email, post or SMS notifications.</li></ul>
iii. Public Involvement and consultation	<ul style="list-style-type: none"><li>• Distribution of a BID providing details on the project and how I&amp;APs can become involved in the process.</li><li>• Submission of comments or queries via the online platform, email or post to the PP team.</li><li>• Virtual presentations (both English and Afrikaans, and a summary of the presentations in Xhosa) available via the online platform.</li><li>• Availability of project information via the online platform, email, post and telephonic platforms such as WhatsApp, and including telephonic discussions to provide description of information verbally.</li><li>• An opportunity for I&amp;APs and stakeholders to request virtual meetings with the project team.</li></ul>
iv. Comment on the BA Report	<ul style="list-style-type: none"><li>• Availability of the project reports via the online platform for 30-day comment period. Hard copies to be available only where sanitary conditions can be assured.</li><li>• Submission of comments via the online platform, email or post to the PP team.</li><li>• Comments recorded and responded to, as part of the process.</li></ul>
v. Identification and recording of comments	<ul style="list-style-type: none"><li>• Comments and Responses Report, including all comments received to be included in the reporting.</li><li>• Comments received prior to report release for review to be included in draft reports.</li><li>• Comments received during full process to be included within the final Report for decision-making.</li></ul>

The PP plan, as set out in the table below, has been drafted for the above-mentioned projects to ensure compliance with the requirements of the EIA Regulations and that reasonable opportunity is provided to I&APs and that all administrative actions are reasonable. Proof of all notifications will be included in the public participation appendix included in the Basic Assessment reports.

The PP plan is submitted to the DEFF, for discussion and agreement before the PP process is undertaken for the proposed projects.



**Public Participation Plan: Discussion of approach and methodology to meet the requirements of the Regulations**

Regulation	Approach & Methodology to meet requirements
<p>Regulation 40(1), Regulation 40(3) &amp; Regulation 43 – provide all potential or registered interested and affected parties, including the competent authority, <b>access to project related information</b>, access to the BA report which will be made available for a period of at least 30 days to <b>submit comments on draft reports</b> prior to submission of final reports for decision-making.</p>	<p><u>Notification of Basic Assessment (BA) process to be undertaken for application for Environmental Authorisation (EA) to be distributed using the following means:</u></p> <ul style="list-style-type: none"> <li>» E-mail</li> <li>» Dedicated project page on the Savannah Environmental online stakeholder engagement platform</li> <li>» Post</li> <li>» Process notices placed on site and at locations that are accessible to I&amp;APs</li> <li>» Advertisement in the printed media.</li> <li>» Radio advert.</li> </ul> <p><u>Notification of availability of reports and period for review using the following means:</u></p> <ul style="list-style-type: none"> <li>» Newspaper adverts, including details of where the reports can be accessed and details of the Savannah Environmental website.</li> <li>» Radio adverts on local radio stations.</li> <li>» Notification letter (to be sent via email, fax or post) to registered I&amp;APs.</li> <li>» Notifications to communities via Ward Councillors, ward committee members, identified and confirmed community representatives, and local community forum members.</li> <li>» SMS and/ or WhatsApp notifications where no other means are available.</li> </ul> <p><u>Availability of reports for review and comment:</u></p> <ul style="list-style-type: none"> <li>» Reports available on the Savannah Environmental website for download.</li> <li>» Electronic copies can be made available to parties via a secure Dropbox link (or other means) that will be emailed upon request for the documentation.</li> <li>» CDs to be posted, if requested.</li> <li>» Hard copy reports to be available only where appropriate sanitary conditions can be maintained.</li> <li>» Reports will be submitted to the DEFF using the DEFF online portal.</li> <li>» Reports will be submitted to Organs of State and commenting authorities via an agreed electronic platform (such as on CD, or via a secure Dropbox link or WeTransfer, etc.).</li> </ul> <p><u>Submission of comments to PP team:</u></p> <ul style="list-style-type: none"> <li>» Comments will be able to be submitted directly to the PP team using the Savannah Environmental online stakeholder engagement platform. A customised reply form is available on this webpage.</li> </ul>

Regulation	Approach & Methodology to meet requirements
	<ul style="list-style-type: none"> <li>» The online platform allows for feedback and comments to be submitted by I&amp;APs, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting.</li> <li>» Written comments can also be submitted via email, post or fax.</li> <li>» Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Post.</li> <li>» Placement of process notices at accessible locations in the study area.</li> <li>» Placement of site notices on all affected properties.</li> <li>» Advertisement in printed media (local newspaper).</li> <li>» Radio adverts (local radio).</li> <li>» Consultation and communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members.</li> <li>» SMS or WhatsApp notification.</li> <li>» CDs to be posted, if requested (and where a computer is available).</li> <li>» Hard copy report where sanitary conditions can be maintained.</li> </ul>
<p>Regulation 40(2) - Provide access to all project information that has the potential to influence any decision regarding the application, unless protected by law, and must include <b>consultation</b> with Competent Authority, Organs of State &amp; registered I&amp;APs.</p> <p>Regulation 41(6) – Relevant <b>information available and accessible</b></p>	<p><u>Provision of project information and consultation via various means including:</u></p> <ul style="list-style-type: none"> <li>» Telephonic consultation.</li> <li>» Email correspondence.</li> <li>» Correspondence sent via post.</li> <li>» SMS and/or WhatsApp.</li> <li>» The Savannah Environmental online stakeholder engagement platform will ensure that I&amp;APs are afforded sufficient opportunity to participate in the project and raise comments on the projects to any person with interest in the BA process for the projects. This online stakeholder engagement platform which will include the following:                         <ul style="list-style-type: none"> <li>o A means to register on the projects database and provide details of their interest in the project.</li> <li>o Background information on the projects.</li> <li>o Project maps (including locality map, layout map, sensitivity map, landowner map, etc).</li> <li>o Photos of the project sites and surrounds.</li> <li>o Presentation with narration providing a summary of the project details and the findings of the BA.</li> <li>o Posters providing a summary of the findings of the BA.</li> </ul> </li> </ul>

Regulation	Approach & Methodology to meet requirements
	<p>o A means of submitting written comment or queries.</p> <ul style="list-style-type: none"> <li>» Virtual meetings using an appropriate platform agreeable to all parties (such as Zoom, Skype or Teams). The meetings will be recorded, and the attendees' details captured in an attendance register. Confirmation of their attendance will also be requested by e-mail and the correspondence will be included in the report. Face-to-Face meetings can be undertaken where sanitary conditions can be guaranteed.</li> <li>» Communities will be consulted via the relevant Ward Councillors, ward committee members, community representatives or local community forum members, as determined and confirmed during the consultation process.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Telephonic consultation.</li> <li>» Post.</li> <li>» SMS and/or WhatsApp.</li> <li>» Consultation and communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members.</li> </ul>
<p><b>Regulation 41(2)(a) – Site notice</b></p>	<ul style="list-style-type: none"> <li>» Site notices will be placed at affected properties by the EAP, landowner or specialist, depending on specific travel restrictions applicable at the time.</li> <li>» Size and content will be in accordance with Regulation 41(3) &amp; 41(4).</li> </ul>
<p><b>Regulation 41(2)(b) – Written notification</b> to affected and neighbouring landowners and occupiers; municipality; ward councillors; Organs of State &amp; other parties required by the CA</p>	<ul style="list-style-type: none"> <li>» Notification letter to be sent via email, fax or post.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Post.</li> <li>» SMS or WhatsApp notification.</li> </ul>
<p><b>Regulation 41(2)(c) – (e) – Advertisements</b></p>	<ul style="list-style-type: none"> <li>» Advert to be placed in a local newspaper.</li> <li>» Radio adverts will be used as alternative means based on the nature, extent of the projects and the demographics within the vicinity of the project location.</li> <li>» Process notices (A4 size) with site notice details will be placed at public places that are frequented by and accessible to community members during Alert Level 3.</li> </ul>
<p><b>Regulation 42 – Project database</b></p>	<ul style="list-style-type: none"> <li>» I&amp;APs to be identified through a process of networking and referral, obtaining information from the Savannah Environmental existing stakeholder database, liaison with potentially affected parties in the</li> </ul>

Regulation	Approach & Methodology to meet requirements
	<p>greater surrounding area and a registration process involving the completion of a reply form or response to adverts.</p> <ul style="list-style-type: none"> <li>» Organs of State, key stakeholders and affected and surrounding landowners and occupiers will be identified and registered on the project database.</li> <li>» Other stakeholders will be required to formally register their interest in the projects through either directly contacting the Savannah Environmental Public Participation team via email or fax or use of the Savannah Environmental website.</li> <li>» In order to access the Savannah Environmental online stakeholder engagement platform for a specific project, I&amp;APs will be required to provide their details such that they are automatically registered on the project database.</li> <li>» The register of I&amp;APs will contain the names of:                             <ul style="list-style-type: none"> <li>o all persons who requested to be registered on the database through the use of the Savannah Environmental website, or in writing and disclosed their interest in the project;</li> <li>o all Organs of State which hold jurisdiction in respect of the activity to which the application relates; and</li> <li>o all persons who submitted written comments or attended virtual meetings and viewed virtual presentations on the Savannah Environmental website during the public participation process.</li> </ul> </li> <li>» The information captured on the project database will contain the names, organisation and contact details, as required. It must be noted that personal details will not be shared in public documentation in accordance with the requirements of the POPI Act.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Process of networking and referral.</li> <li>» Telephonic registration.</li> <li>» SMS and/or WhatsApp.</li> <li>» Fax or post.</li> </ul>
Regulation 44 – <b>Comments</b> to be recorded	<ul style="list-style-type: none"> <li>» Comments will be able to be submitted directly to the PP team using the Savannah Environmental online stakeholder engagement platform. A customised reply form is available on this webpage.</li> <li>» The Savannah Environmental online stakeholder engagement platform includes:                             <ul style="list-style-type: none"> <li>o A means to register on the projects database and provide details of their interest in the project.</li> <li>o A means of submitting written comment or queries.</li> </ul> </li> </ul>

Regulation	Approach & Methodology to meet requirements
	<ul style="list-style-type: none"> <li>» The online platform allows for feedback and comments to be submitted by I&amp;APs, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting.</li> <li>» Written comments can also be submitted via email, post or fax.</li> <li>» Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments.</li> <li>» I&amp;APs without the applicable electronic facilities to access the Savannah Environmental website will be provided with the opportunity to submit their comments and communicate with the public participation team via SMS, WhatsApp or by sending a Please-call-me notification. These comments will be transcribed and recorded as formal comments.</li> <li>» All comments received throughout the EIA process will be acknowledged and captured in the comments and responses report (C&amp;RR) with a relevant response.</li> <li>» The C&amp;RR and all comments received will be included each final report submitted to the CA.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Written comments via post or fax.</li> <li>» Comment submission telephonically and instant messaging (SMS and/or WhatsApp).</li> <li>» Sending a Please-call-me notification to the Public Participation team so that contact can be made.</li> </ul>
Regulation 4(2) – Notification of <b>decision</b> on application	<p><u>Notification of Environmental Authorisation (EA) using the following means:</u></p> <ul style="list-style-type: none"> <li>» Notification letter with details as outlined in EA issued will be sent via email, fax or post.</li> <li>» Notification will be available on the Savannah Environmental website.</li> <li>» Notifications that the EA has been issued and where to download and/or obtain a copy to communities via Ward Councillor and his/her ward committee members and identified and confirmed community representatives.</li> <li>» SMS or WhatsApp notification.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Post.</li> <li>» Communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members.</li> <li>» SMS and/or WhatsApp.</li> </ul>



## Savannah Public Process

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**From:** Chad Comley <chadcomley@gmail.com>  
**Sent:** Monday, 13 September 2021 17:02  
**To:** Savannah Public Process  
**Subject:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Hi Nicolene

As the country has gone to level 2

I would like to have a face to face with the directors Wind Relic and Partners Dimsum

Kind regards  
Chad Comley

On 13 Sep 2021, at 12:54, Chad Comley <chadcomley@gmail.com> wrote:

Hi Nicolene

Could you please give me a definition of “fatally flawed “

Could you please courier me memory sticks with the individual applications on Separate sticks as the sheer information is going to be enormous

Thanks  
Kind regards  
Chad Comley

On 03 Sep 2021, at 14:42, Savannah Environmental Public Process  
<publicprocess@savannahsa.com> wrote:

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN  
SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE  
(DFFE Rev. Nos.: To be Issued)**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhanda within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor.

The cluster consists of four (4) separate wind energy facilities and an electrical grid

connection infrastructure, which includes, a 400kV Main Transmission Substation (MTS) and two (2) 400kV power lines, to connect the wind farms to the national grid network. The connection points into the national grid network will be the existing Poseidon-Grassridge No.2 400kV power line and the existing Poseidon – Dedisa No.1 400kV power line. The associated infrastructure for each of the wind farms are included in the attached notification letter.

These project sites are located within the Blue Crane Route Local Municipality, Sarah Baartman District Municipality, Eastern Cape Province, and the details of these applications are provided in the attached notification letter.

The attached notification letter also serves to inform you of the availability of the Basic Assessment (BA) Reports for your review and comment and invite you to attend any one of the three (3) online Public Participation Process Meetings. Details regarding these Public Participation Process Meetings are included in the attached notification letter.

We kindly request that you share this information with family members, colleagues or any other party whom you believe would have an interest in these applications.

In terms of the Protection of Personal Information (POPI) Act, 2013 (Act No.4 of 2013), we request that no contact details be provided to Savannah Environmental but rather that those interested and/or affected parties (I&APs) contact our Public Participation Office directly.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and looks forward to your involvement throughout this process.

Kind regards,

[Unsubscribe this type of email](#)

<1.png>

t: 011 656 3237  
f: 086 684 0547

**Nicolene Venter**

Public Process

<0.gif> e: publicprocess@savannahsa.com  
c: +27 (0) 60 978 8396

[SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015](#)

<SE2602\_Western\_Cluster\_WEFs&MTS\_BAR\_Notification\_Letter-FINAL.pdf>  
<SE2602\_Western\_Cluster\_WEFs&MTS-Appendix\_A.pdf>



## Nicolene Venter

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**From:** Nicolene Venter  
**Sent:** Friday, 17 September 2021 17:17  
**To:** Chad Comley  
**Subject:** Fwd: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE  
**Attachments:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Dear Chad,

Your request for a face-to-face meeting with the Wind Relic and Dimsum has been forwarded to them.

It was requested that you please provide an Agenda of relevance to the Western Cluster Applications that you would like to discuss with them (please see your request attached).

Apologies for not acknowledging your e-mail of Monday, 13 September 2021, but it can be confirmed that your e-mails regarding the request for a USB has been acknowledged and responded to.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
Public Participation and Social  
Consultant

e: [nicolene@savannahsa.com](mailto:nicolene@savannahsa.com)  
c: +27 (0)60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

### Processing of personal information / POPIA compliance

We respect your privacy and acknowledge that this e-mail will contain Personal Information, which may belong to you, others and/or to your organization and which we will process. The processing of your personal information by Savannah Environmental may be included in reports submitted to governmental departments or on our public platforms, which processing will be done in accordance with our processing notice housed on our website - <https://savannahsa.com/privacy-policy-privacy-policy-page/>. By sending and/or receiving this message, you hereby expressly give us consent to process the Personal Information contained herein which processing will be done in accordance with POPIA Act 4 of 2013.

This email has been scanned for viruses and malware, and automatically archived by **Mimecast SA (Pty) Ltd**, and is believed to be clean.

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**From:** Chad Comley <[chadcomley@gmail.com](mailto:chadcomley@gmail.com)>  
**Sent:** Thursday, 16 September 2021 15:45  
**To:** Nicolene Venter <[nicolene@savannahsa.com](mailto:nicolene@savannahsa.com)>  
**Subject:** Fwd: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Hi Nicolene

I don't have wifi on my farm. the proposed online platform meetings won't be possible for me .  
I will need to have a more traditional presentation .

I am sure some other I&AP might also want a face to face presentation

Could you pls get back to me with a solution

If you could pls acknowledge my mails as I don't know if you are receiving them

Kindest regards  
Chad Comley

Begin forwarded message:

**From:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE  
**Date:** 14 September 2021 at 14:35:58 SAST  
**To:** Chad Comley <[chadcomley@gmail.com](mailto:chadcomley@gmail.com)>

Hi Chad,

Please be informed that the 5 x BA Reports and appendices have been copied onto one memory stick and is scheduled to be collected by the courier today.

The delivery address as per your whatsapp is:  
16 Rockdale Street  
Port Elizabeth

Kind regards,

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**From:** Chad Comley <[chadcomley@gmail.com](mailto:chadcomley@gmail.com)>  
**Sent:** Monday, 13 September 2021 12:54  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

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**(DFFE Rev. Nos.: To be Issued)**

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Kind regards,

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t: 011 656 3237  
f: 086 684 0547

**Nicolene Venter**

Public Process

<0.gif> e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

---

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

<SE2602\_Western\_Cluster\_WEFs&MTS\_BAR\_Notification\_Letter-FINAL.pdf>  
<SE2602\_Western\_Cluster\_WEFs&MTS-Appendix\_A.pdf>

## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Monday, 27 September 2021 06:39  
**To:** Chad Comley  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Dear Chad,

Your enquiry below falls outside out environmental scope of work and can therefore cannot provide a response.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**

Public Participation and Social  
Consultant

e: [nicolene@savannahsa.com](mailto:nicolene@savannahsa.com)  
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**From:** Chad Comley <[chadcomley@gmail.com](mailto:chadcomley@gmail.com)>  
**Sent:** Wednesday, 22 September 2021 15:22  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Thanks Nicolene

If I could confirm non-compliance with a mandatory provision would apply to the constitution and any legal requirements from any laws or Acts within the Republic of South Africa .

If the company breaks any laws or offences of any Act of the Republic of South Africa it would be considered a fatal flaw .

Am I correct in saying that ?

Kind Regards  
Chad Comley

On 22 Sep 2021, at 05:32, Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

Dear Chad,

The requested definition of “fatally flawed” is:

There is no legal definition in the legislation. Based on the dictionary definition, a flaw is defined as “*a mistake or shortcoming in a plan, theory, etc. which causes it to fail or reduces its effectiveness.*” A fatal flaw would be something that for example, results in non-compliance with a mandatory provision, cannot be corrected and is reason not to approve.

Kind regards,

<image001.png>

t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

<image002.gif>

**Nicolene Venter**

Public Participation and Social  
Consultant

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**From:** Chad Comley <[chadcomley@gmail.com](mailto:chadcomley@gmail.com)>

**Sent:** Monday, 13 September 2021 12:54

**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>

**Subject:** Re: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Hi Nicolene

Could you please give me a definition of “fatally flawed “

Could you please courier me memory sticks with the individual applications on Separate sticks as the sheer information is going to be enormous

Thanks

Kind regards  
Chad Comley

On 03 Sep 2021, at 14:42, Savannah Environmental Public Process  
<[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)> wrote:

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN  
SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE  
(DFFE Rev. Nos.: To be Issued)**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset East and Makhandla within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor.

The cluster consists of four (4) separate wind energy facilities and an electrical grid connection infrastructure, which includes, a 400kV Main Transmission Substation (MTS) and two (2) 400kV power lines, to connect the wind farms to the national grid network. The connection points into the national grid network will be the existing Poseidon-Grassridge No.2 400kV power line and the existing Poseidon – Dedisa No.1 400kV power line. The associated infrastructure for each of the wind farms are included in the attached notification letter.

These project sites are located within the Blue Crane Route Local Municipality, Sarah Baartman District Municipality, Eastern Cape Province, and the details of these applications are provided in the attached notification letter.

The attached notification letter also serves to inform you of the availability of the Basic Assessment (BA) Reports for your review and comment and invite you to attend any one of the three (3) online Public Participation Process Meetings. Details regarding these Public Participation Process Meetings are included in the attached notification letter.

We kindly request that you share this information with family members, colleagues or any other party whom you believe would have an interest in these applications.

In terms of the Protection of Personal Information (POPI) Act, 2013 (Act No.4 of 2013), we request that no contact details be provided to Savannah Environmental but rather that those interested and/or affected parties (I&APs) contact our Public Participation Office directly.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and looks forward to your involvement throughout this process.

Kind regards,

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<1.png>

<0.gif> **Nicolene Venter**  
Public Process

t: 011 656 3237  
f: 086 684 0547

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0) 60 978 8396

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<SE2602\_Western\_Cluster\_WEFs&MTS\_BAR\_Notification\_Letter-FINAL.pdf>  
<SE2602\_Western\_Cluster\_WEFs&MTS-Appendix\_A.pdf>



## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Tuesday, 05 October 2021 02:52  
**To:** Eugene Adams  
**Cc:** Nondumiso Bulunga; Tumelo Mathulwe  
**Subject:** RE: Info

Tracking:	Recipient	Delivery
	Eugene Adams	
	Nondumiso Bulunga	Delivered: 2021/10/05 02:52
	Tumelo Mathulwe	Delivered: 2021/10/05 02:52

Dear Mr Adams,

Your e-mail has been forwarded to the applicant for the cluster of wind farms and solar developments near Makhanda and Somerset East.

Please be informed that construction of renewable energy projects are not part of Savannah Environmental's scope of work as we are appointed to conduct the environmental studies associated with these developments.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
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**From:** Eugene Adams <[ebadamd.ea@gmail.com](mailto:ebadamd.ea@gmail.com)>  
**Sent:** Monday, 04 October 2021 21:11  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Subject:** Info

Hi

I have worked as surveyor at Hopefield windfarm, Oyster bay windfarm in eastern cape and Karusa/Soetwater windfarm in northern cape. Setting out of roads, bulk earthworks for busses and storm water crossings etc...

Kind regards

Eugene Adams

ECS Pty Ltd

[ebadamd.ea@gmail.com](mailto:ebadamd.ea@gmail.com)

074 462 5303

## Savannah Public Process

---

**From:** Gareth Tate <gareth@ewt.org.za>  
**Sent:** Tuesday, 19 October 2021 14:09  
**To:** Savannah Public Process  
**Cc:** Ian Little; Tumelo Mathulwe; Nondumiso Bulunga  
**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Noted thank you Nicolene

Just to note, I am representing the Endangered Wildlife Trust, not the FitzPatrick Institute.

I will send my comments shortly

Regards,  
Gareth

**Dr Gareth Tate**

**Manager: Birds of Prey Programme**

**Endangered Wildlife Trust**

**W** + 27 21 799 8459 | **C** + 27 82 447 3619 | **Skype** gareth\_j\_tate

South African National Vulture Task Force member

National Wildlife Poisoning Prevention Working Group

Bearded Vulture Task Force member

Research Associate: FitzPatrick Institute of African Ornithology, University of Cape Town



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NPO number: 015-502 NPO  
IT number: IT 6247

**Physical Address:** CBC Building, Office 9, Kirstenbosch Research Centre, Top of Cherry Street, Newlands, Cape Town, 7700.

Johannesburg Address: Plot 27 and 28 Austin Road, Glen Austin AH, Midrand, 1685, Gauteng, South Africa

Postal Address: Postnet Suite #027, Postnet Suite 002, Private Bag X08, Wierda Park 0149, Gauteng, South Africa



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**From:** Savannah Public Process <publicprocess@savannahsa.com>  
**Sent:** Tuesday, 19 October 2021 13:31  
**To:** Gareth Tate <gareth@ewt.org.za>

**Cc:** Ian Little <ianl@ewt.org.za>; Tumelo Mathulwe <tumelo@savannahsa.com>; Nondumiso Bulunga <Nondumiso@savannahsa.com>

**Subject:** RE: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Dear Dr Tate,

Thank you for your request to be register on the projects' databases – please receive herewith confirmation that the FritzPatrick Institute of African Ornithology, University of Cape Town (and its associated programmes & task teams) has been registered.

Regarding the Basic Assessment time frame, the review and comment period for the following Basic Assessment Reports is ending on Tuesday, 19 October 2021:

- Redding Wind Farm;
- Aeolus wind Farm; and
- REDZ 3 Power Corridor 400MTS

The Basic Assessment Reports for the above projects are available for download from our website:<https://savannahsa.com/public-documents/energy-generation/eastern-cape-cluster-of-renewable-energy-facilities-2/>

The review and comment period for the Hamlett Wind Farm and Rippon Wind Farm Basic Assessment Reports is ending on Tuesday, 26 October 2021 and the Basic Assessment Reports for these two projects are available for download from our website: <https://savannahsa.com/public-documents/energy-generation/eastern-cape-cluster-of-renewable-energy-facilities-3/>

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

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**From:** Gareth Tate <[garetht@ewt.org.za](mailto:garetht@ewt.org.za)>

**Sent:** Tuesday, 12 October 2021 09:30

**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>

**Cc:** Ian Little <[ianl@ewt.org.za](mailto:ianl@ewt.org.za)>

**Subject:** FW: DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

Dear Nicolene,

We are wanting to register as I&AP's for the proposed cluster of development. What is the deadline and process to do so?

Regards,  
Gareth

**Dr Gareth Tate**

**Manager: Birds of Prey Programme**

South African National Vulture Task Force member  
National Wildlife Poisoning Prevention Working Group  
Bearded Vulture Task Force member  
Research Associate: FitzPatrick Institute of African Ornithology, University of Cape Town

**Endangered Wildlife Trust**

**W** + 27 21 799 8459 | **C** + 27 82 447 3619 | **Skype** gareth\_j\_tate



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NPO number: 015-502 NPO  
IT number: IT 6247

**Physical Address:** CBC Building, Office 9, Kirstenbosch Research Centre, Top of Cherry Street, Newlands, Cape Town, 7700.  
Johannesburg Address: Plot 27 and 28 Austin Road, Glen Austin AH, Midrand, 1685, Gauteng, South Africa  
Postal Address: Postnet Suite #027, Postnet Suite 002, Private Bag X08, Wierda Park 0149, Gauteng, South Africa



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**From:** Savannah Environmental Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>

**Sent:** Friday, 03 September 2021 14:43

**Subject:** DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE PROVINCE

**DEVELOPMENT OF A CLUSTER OF RENEWABLE ENERGY FACILITIES BETWEEN SOMERSET EAST AND MAKHANDA,  
EASTERN CAPE PROVINCE  
(DFFE Rev. Nos.: To be Issued)**

Dear Interested and Affected Parties,

A cluster of renewable energy facilities is proposed to be developed on various project sites located between Somerset

East and Makhandha within the Cookhouse Renewable Energy Development Zone (REDZ), as well as the Eastern Strategic Transmission Corridor.

The cluster consists of four (4) separate wind energy facilities and an electrical grid connection infrastructure, which includes, a 400kV Main Transmission Substation (MTS) and two (2) 400kV power lines, to connect the wind farms to the national grid network. The connection points into the national grid network will be the existing Poseidon-Grassridge No.2 400kV power line and the existing Poseidon – Dedisa No.1 400kV power line. The associated infrastructure for each of the wind farms are included in the attached notification letter.

These project sites are located within the Blue Crane Route Local Municipality, Sarah Baartman District Municipality, Eastern Cape Province, and the details of these applications are provided in the attached notification letter.

The attached notification letter also serves to inform you of the availability of the Basic Assessment (BA) Reports for your review and comment and invite you to attend any one of the three (3) online Public Participation Process Meetings. Details regarding these Public Participation Process Meetings are included in the attached notification letter.

We kindly request that you share this information with family members, colleagues or any other party whom you believe would have an interest in these applications.

In terms of the Protection of Personal Information (POPI) Act, 2013 (Act No.4 of 2013), we request that no contact details be provided to Savannah Environmental but rather that those interested and/or affected parties (I&APs) contact our Public Participation Office directly.

Please do not hesitate to contact us should you require additional information and/or clarification regarding the projects. Our team welcomes your participation and looks forward to your involvement throughout this process.

Kind regards,

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f: 086 684 0547

**Nicolene Venter**  
Public Process

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c: +27 (0) 60 978 8396

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14 October 2021

PO Box 148,  
Sunning Hill,  
2157

Letter sent via email: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com).

CC: [dayalan.govender@dedia.gov.za](mailto:dayalan.govender@dedia.gov.za) & [andries.struwig@dedia.gov.za](mailto:andries.struwig@dedia.gov.za)

Dear Savannah Environmental,

**Development of Renewable Energy Facility's between Somerset East and Makhanda, Eastern Cape.**

When looking at the overall footprint of the proposed Renewable Energy projects within the Cookhouse Renewable Energy Development Zone (REDZ), including the Eastern Strategic Transmission Corridor, projects have been broken up individually and separated into the Eastern and Western Cluster projects between Somerset East and Makhanda. In total 8 projects are proposed for Environmental Authorisation and are made up as follows:

Eastern Cluster:

- Wind Garden Wind Farm
- Fronteer Wind Farm

Western Cluster:

- Hamlet Wind Farm
- Ripponn Wind Farm
- Redding Wind Farm
- Aeoulus Wind Farm
- Solar Fields Solar Energy Facility
- Sun Garden Solar Energy Facility
- Including a 400kV Main Transmission Substation and two 400kV Power Lines

These projects have been broken up into 8 individual Environmental Authorisation applications which are being evaluated and assessed independently and clustered into three Public Participation Processes for comment by I&AP's. Each project application is being analysed with the use of a Basic Assessments Report for Environmental Authorisation. The analyses on the impacts for each project

will purely be associated with each project and these individual impacts will be independently managed in order for approval of Environmental Authorisation.

The 8 projects, along with their associated substations and powerline projects, are therefore merely all components of one massive renewable energy project within the Cookhouse REDZ. Due to the size of the overall project footprint, the individual analyses of each project will predict a reduced overall risk, compared to the quantitative and cumulative impacts of the entire project when analysed as a whole.

Independent specialists should analyse not just the individual impacts of each project but the cumulative impact, indirect impact, and ecological sensitivity for the entire renewable energy project and the vast footprint thereof. Especially as the Cookhouse REDZ falls within the critically important Albany Centre of Botanical Biodiversity and Endemism, also known as the “Albany Hotspot.” A study cannot be completed purely on the specialist concluding results for that project and therefore state that the results show that the development "will not result in unacceptable environmental impacts", without taking the cumulative effects and ecological sensitivity into consideration. Vital parts of the ecosystem may be lost which in turn could lead to the collapse of an ecosystem within that area.

The degree of ecological connectivity between systems within the development landscape matrix should be analysed to determine the sensitivity scale for the entire development area. The results hereof should be taken into consideration especially for decision making.

In order to obtain a comprehensive understanding of the dynamics of the ecosystem, fauna & flora communities, and the status of endemic, rare, or threatened species within the development footprint, analyses at different times of the year (across seasons/years) should be done. Highlighting the impact on fauna as they are not a static part of the environment and move freely is specifically important. Special consideration and analyses should focus on threatened species inhabiting the desired development area.

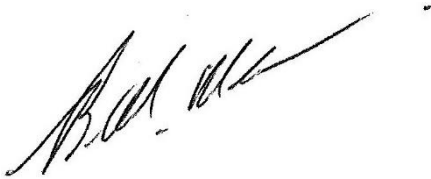
Integrated environmental management is required as per Section 2(b) and 23 of the National Environmental Management Act (NEMA, No. 107, 1998) for a development such as this. It is therefore further suggested that a Strategic Environmental Analysis (SEA) is carried out for the entire development footprint including the 8 projects and their associated substations and powerline projects. The SEA can address the cumulative impacts and assist in the integration of the concept of sustainability into strategic decision-making through the identification and determination of limits of acceptable change and sustainability targets for a particular area, which will ensure environmental sustainability.



As per section 2(4)(a)(viii) of NEMA, no potential impact can be left unattended to, with the final option of action being that such impacts be 'minimised and remedied.' Taking this statement into consideration, along with understanding the cumulative impacts of the total development from the SEA, an understanding of the cumulative impact significance will be obtained, which will allow for actions to be taken to minimise and remedy the potential impacts.

Even though the need for renewable energy in South Africa is recognised, understood, and supported, one should abstain from saturating an environments' sustainable threshold regarding renewable energy. There should be a balance between the need for the development, the destruction (both present and future) caused by such developments, and the conservation and preservation of the environment and biodiversity within that desired area.

Kind Regards



**BRENT MCNAMARA**

**CHIEF EXECUTIVE OFFICER**

**20 October 2021**

**Ms Nicolene Venter**  
Savanah Environmental (Pty) Ltd  
5 Woodlands Drive Office Park  
Woodmead, 2191  
(Tel: 060 978 8396)

By E-mail: [publicprocesssavannahsa.com](mailto:publicprocesssavannahsa.com)



Your Ref: 14/12/16/3/3/2/1055  
Direct Tel: (082) 499 2822

Our Ref: E0000006  
Direct email: [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za)

Dear Madam,

**FIVE (5) ENVIRONMENTAL APPLICATIONS COMPRISING FOUR (4) WIND ENERGY FACILITY APPLICATIONS AND ONE (1) APPLICATION FOR A MAIN TRANSMISSION STATION AND TWO 400KV POWERLINES ALL CONSTITUTING A PART OF WIND RELIC (PTY) LTD'S OVERALL COOKHOUSE REDZ3 RENEWABLE ENERGY PROJECT SITUATED BETWEEN SOMERSET EAST AND MAKHANDA, EASTERN CAPE (DFFE REF. NOs.: UNKNOWN)**

## **PRELIMINARY SUBMISSIONS**

### INTRODUCTION

- 1 We represent the Indalo Private Game Reserve Association ("Indalo Association"), the statutory assigned Management Authority in terms of section 38(2)(b) of the National Environmental Management: Protected Areas Act, No. 57 of 2003 ("NEMPAA") of the Indalo Protected Environment ("Indalo PE"), a declared Protected Area ("PA"). The Indalo PE includes nine (9) internationally renowned private game reserves ("member reserves") in the Eastern Cape Province of South

Natural Resources Law | Environmental Law | Public Law

Ernst Basson Attorneys Inc. Reg. No. 2017/217447/21  
J.H.E. BASSON (B. Juris, LLB, LLD) CLS No. 21082  
P.O. Box 205, Stellenbosch, South Africa, 7599

Email: [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za) | Cell: +27 82 499 2822

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Africa which has brought some 76 000 ha of land under formal protection. Indalo PE borders and/or is located within the buffer zone of the Addo Elephant National Park ("Addo Park") and Great Fish Provincial Nature Reserve ("Great Fish") and other provincial protected areas, and is a Biodiversity Stewardship site under the National Environmental Management: Biodiversity Act, No. 10 of 2004 ("NEMBA"). Various members of the Indalo PE and/or other nearby declared protected areas or wildlife tourism operators are directly or indirectly affected by the cumulative impacts of various planned and/or constructed Wind Energy Facilities ("WEFs") in this region of the Eastern Cape.

- 2 The submissions by the Indalo Association focus on the proposed development of the listed activities for the Redding, Aeolus, Hamlett and Ripponn WEFs and the PV and transmission projects that are, or will be, reported in five (5) Basic Assessment Reports ("BARs") by Savannah Environmental to form the western block (jointly referred to as the "Western Block") of a new mega renewable energy development ("Mega Development") by the same parent company, Wind Relic (Proprietary) Limited ("Wind Relic") within the Cookhouse Renewable Energy Zone ("REDZ") of the Eastern Cape. The environmental impact assessments for the eastern block of this Mega Development were reported to the Competent Authority by Savannah Environmental in the Wind Garden and Frontier WEF BARs (jointly referred to as the "Eastern Block") about which the Indalo Association have made substantive comments and submissions. According to the public participation Plan ("PP Plan") of Savannah Environmental ("EAP") for the Western Block the below comments should focus on the Redding and Aeolus BARs, but this is not possible for the reasons explained below. The Indalo Association is of the view that the basic assessment process and the PP Plan that were followed by the EAP for the five (5) BARs of the Western Block are materially wrong and unlawful and cannot be supported.
- 3 Indalo is competent to make these representations as an Interested and Affected Party ("I&AP") in terms of sections 1 and 24(4)(a)(v) of the National Environmental

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These PGRs are the Amakhala Game Reserve, Hopewell Game Reserve, Kariega Game Reserve, Kwandwe Game Reserve, Oceana Beach and Wildlife Reserve, Pumba Game Reserve, Shamwari Game Reserve, Sibuya Game Reserve, and the Lalibela Game Reserve.



Management Act, No. 107 of 1998 ("NEMA") (either directly or through members), to protect their environmental rights that are guaranteed in section 24(b) of the Constitution. You are hereby requested to include Indalo and its member reserves in your list of registered I&APs (to the extent that each of them has not already been added) and to inform them about the future physical and virtual meetings and other information so that their representatives can attend and respond, where necessary.

- 4 The Indalo Association has appointed Mr Theo Fischer from EScience Associates (Pty) Ltd, a registered professional natural scientist and independent environmental consultant ("EScience") along with various specialists to advise it about the environmental and technical aspects of the Draft BARs of the Western Block. Please note that as these are preliminary comments by the Indalo Association, the comments by EScience are incorporated in these submissions and not attached in separate technical reports.
- 5 The below comments by the Indalo Association are preliminary, and do not currently address each and every statement in the Draft BARs of the Western Block about the impact of the listed activities and our Client's failure to do so does not admit to the correctness of such statements. The Indalo Association reserves its right to make further submissions about the Redding, Aeolus, Hamlett and Ripponn WEFs and the PV and transmission projects of the Western Block to the EAP and/or Competent Authority as and when necessary. This is due to the expansive and integrated nature of the larger Western Block development and the arbitrary manner in which it has been broken up into units and the disproportionate amount of fragmented and incoherent EIA information foisted on I&APs.
- 6 At the outset, the Indalo Association confirms (as it has stated before in its submissions to the Competent Authority in respect of the Wind Farm and Frontier applications for development of the Eastern Block), that in principle, the Association supports the decarbonisation of the South African energy sector to combat climate change through the development of renewable energy sources. It specifically confirms that the Indalo Association has no objection to the development of the PV installations forming part of the Western Block. However, the Indalo Association's



support of wind energy development is subject to the clear caveat that the WEFs must be ecologically sustainable and may not negatively impact on the conservation of biodiversity and provision of wildlife and nature-based (eco-) tourism. The Indalo Association has demonstrated at length in its past submissions in respect to the Wind Garden and Fronteer applications (which we do not presently intend to repeat in detail here), the substantive negative impacts of these WEFs to the environment when inappropriately sited. The Association has specifically highlighted the negative impacts to stewardship-based conservation of biodiversity, and to wildlife and nature-based (eco-) tourism which will be financially disastrous for the game reserves, other tourism operators, and local communities. The Indalo Association has clearly demonstrated that although the development of WEFs may be needed, the proposed locations for Wind Garden and Fronteer are not desirable and should be avoided.

- 7 Since the Redding and Aeolus WEFs form part of the Mega Development by Wind Relic consisting of the Eastern and Western Blocks, the Indalo Association by necessity will refer to some of the concerns raised before with respect to the Wind Garden and Fronteer WEFs. Our main concerns presently focus on defects common to both Blocks:
- 7.1.1 defective public participation process followed by the EAP;
  - 7.1.2 defective basic assessment process followed by the EAP;
  - 7.1.3 poor visual impact assessment and lack of due consideration of impacts on the sense of place;
  - 7.1.4 failure to perform an independent nature and wildlife tourism impact assessment, and
  - 7.1.5 failure of the Draft Socio-Economic Impact Assessment (SEIA) adequately, or at all, to acknowledge the impact of WEFs on wildlife and nature (eco-) tourism when this was explicitly confirmed by Thompson Tours in the Wind Garden and Fronteer Final BARs.



## DEFECTIVE PUBLIC PARTICIPATION PROCESS

- 8 The public participation processes that are followed by the EAP for the 5 BARs of the Western Block are unlawful and substantively unreasonable to I&APs. The public participation procedure that is followed by the EAP are manifestly unfair due to the disproportionately contracted time frame within which the public must consider and comment on voluminous documentation that radically prevents effective and meaningful public comment when in fact the development is a cluster development and should be assessed as one development.
- 9 The Indalo Association has already lodged a formal complaint with the Competent Authority in part due to a similar substantively unfair public participation process that was followed during the Wind Garden and Fronteer BAR's which deprived I&APs from **adequate and meaningful consultation** during the public participation process for environmental authorisations. As you know, or reasonably should be expected to know as EAP, the South African law and courts requires adequate (i.e., sufficient time) and meaningful (i.e., effective access to all relevant information) consultation with landowners/users whose rights may be affected by new developments (specifically if it involves local or traditional communities and special provision should be made to accommodate the needs of indigent communities to ensure adequate and meaningful consultation).
- 9.1.1 See in this regard the court decision of *Baleni and Others v Regional Manager: Eastern Cape Department of Mineral Resources and Others*<sup>2</sup> which stated:
- "Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary."*<sup>6</sup>
- 9.1.2 The High Court in *Earthlife Africa v Director General Department of Environmental Affairs and Tourism*<sup>4</sup> confirmed that the constitutional right to procedural fairness of

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<sup>2</sup> JOL Case 96628/2015 NGHC at para [89] — [95].

<sup>3</sup> At para [89] and [90].

<sup>4</sup> 2005 (3) SA (C).



I&APs in terms of section 24(4)(a)(v) of NEMA means that Indalo must reasonable opportunity to make comments.

9.1.3 In *Bangwenyama Minerals Pty Ltd and Others v Genorah Resources (Pty Ltd and Others*<sup>5</sup> the Constitutional Court confirmed, amongst other, that:

*"The Community was entitled to adequate notice of the nature and purpose of the administrative action that was proposed in relation to the Genorah application. It **was entitled to a reasonable opportunity to make representations** in relation to the Genorah application. Once the administrative decision was taken the Community was entitled to a clear statement of the administrative action.* <sup>6</sup>

10 Regulations 3(8) and 19(1)(a) of the EIA Regulations, 2014 prescribe a minimum timeframe of 30 days for public comment **for each BAR.**

11 In the present instance the EAP in conjunction with the Competent Authority followed an ill-conceived, unlawful, and unreasonable PP Plan for the EIA process by following an approach for the five (5) separate BARs of the Western Block that effectively reduced the total time for public participation **from the prescribed 150 days to 52 days.**

11.1 I&APs must in terms of the EIA Regulations at least have a total period of 150 days for public comment for the five (5) BARs. **Instead of allowing at least 30 days for each BAR,** the EAP only allows 45 days for public comment of the BARs in two (2) groups. The EAP at first runs three (3) BARs simultaneously which is then overlapped by two (2) BARs.

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<sup>5</sup> 2011 (4) SA 113 (CC) at para [63]-[70], [75]-[80].

<sup>6</sup> At para [80].



- 11.2 The public comment period for the Redding and Aeolus BARs and the Power Corridor 400MTS BAR (thus three BARs) ran for 45 days from Friday 3 September 2021 until Tuesday 19 October 2021.<sup>7</sup>
- 11.3 The public comment period for Hamlett and Rippon BARs runs for 45 days from 10 September 2021 until 26 October 2021.<sup>8</sup>
- 11.4 Due to the overlap of the staggered time periods, the I&APs effectively have 52 days from Friday 3 September 2021 until 26 October 2021 to comment on the five (5) BARs.
- 11.5 It follows that the PP Plan is unlawful and substantially procedurally unfair because by allowing the I&APs **only 52 days to comment** on five (5) BARs **instead of the minimum prescribed time of 150 days** (30 day for each BAR), it deprives them of nearly 100 days of the prescribed time which prevents them adequate time to make meaningful comments to the five (5) BARs.
- 11.6 Section 6(2)(b) of the Promotion of Administrative Justice Act 3 of 2000 ("PAJA") stipulates that an administrative action (approval and implementation of the PP Plan) that contravenes a mandatory and material requirement of the empowering provision - 30-day minimum comment period for each BAR in regulations 3(8) and 19(1)(a) - is unlawful and will be set aside by the High Court.
- 12 We conclude that the PP Plan fails to comply with the mandatory provisions of regulations 3(8) and 19(1)(a) and request the EAP to repeat the PP Plan from scratch to allow an effective separate time-period of 30 days for each BAR. This means that the EAP must provide I&APs a total period of at least 150 days to comment on the five (5) BARs to ensure the lawful and substantive procedural fairness of the basic impact assessment processes for each of the different

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As explained by the EAP to Mr Van der Spuy in a letter by Savannah Environmental of 30 September 2021. It is noted that the draft BARs for Redding and Aeolus WEFs indicate on p ii, that comments must be submitted to Savannah **by 7 April 2021** —which is illogical and confusing.

<sup>8</sup>

*Ibid.*





applications for the Western Block. Failure to do so, may result in the High interdicting and/or setting aside the five (5) BARs.

## DEFECTIVE BASIC ASSESSMENT PROCESS

- 13 The Indalo Association further submits that the basic assessment processes that the EAP follows with the five (5) BARs are **inherently defective for irrationality and unlawfulness.**
- 14 Energy projects (like agri-industry projects, large-scale property developments, social infrastructure, housing projects and linear developments) are just that, large and complex, and these projects include a variety of activities and usually involve large tracts of land and require a complexity of issues to be addressed in the EIA process. It is thus irrational and unfair for such expansive (and intimately integrated) developments to be broken up into arbitrary units (to what end may one ask?). Given the range of potential environmental issues associated with developments of this nature, the assessment of impacts is complex (due to the range of links and cause-and-effect relationships between impacts).
- 15 In this respect it is to be noted that all the listed activities in these five (5) BARs are intimately associated (power generation) and are overlapping or bordering or integrating (power generation, roads and transmission). The arbitrary dismembering of the Western Block development along the lines of Special Purpose Vehicle applications does not allow effective and systematic assessment or public participation and cannot provide the Competent Authority with information that is adequate for informed and defensible decision making as it is seldom that there would be a single and linear relationship between an element or aspect of a project and the environmental impact and these cannot be separated in an arbitrary and irrational manner.
- 16 The EAP (reportedly on instruction of the Competent Authority) thus artificially divides the development of different listed activities for the generation and transmission of renewable energy that are located adjacent to each other in the Western Block into five (5) separate BARs. This division is arbitrary because it is



not rationally related to the legislative purpose of the empowering provision NEMA of ensuring integrated environmental management and decision making. This proliferation of a single development into five (5) different applications, and the piecemeal investigation, assessment and reporting of cumulative direct and indirect impacts and consequences of the development are in contravention of the principle of, and requirements for, integrated environmental management and decision-making in sections 2(4)(b) and (i), 23(1)(b) and 24 (1) and (2) of the NEMA and the EIA Regulations, 2014.

- 17 The principle of integrated environmental management principle in section 2(4)(b) of NEMA states as follows:

*"Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option."*

- 18 The principle of integrated environmental impact assessment in section 2(4)(i) of the NEMA reads as follows:

*"The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment"*.

- 19 According to section 2(1)(a), (c) and (e) of the NEMA the EAP and Competent Authority must apply these principles of integrated decision-making and management during the assessment and decision making of the proposed listed activities for renewable energy generation and transmission in the Western Block pursuant to section 24(1) of the NEMA.

- 20 This legal duty is further supported by the general objectives of integrated environmental management that are prescribed in section 23(2) of the NEMA which



must be achieved by the EAP and Competent Authority during the basic assessment process of the listed activities in the Western Block:

- "(a) *promote the integration of the principles of environmental management set out in section 2 into the making of all decisions which may have a significant effect on the environment;*
- (b) *identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management set out in section 2; ...*
- (d) *ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment.* [Our emphasis]

21 Finally, section 24(1) of the NEMA in express terms give effect to the above provisions of integrated environmental decision-making and management sections 2 and 23 by stating that:

*"In order to give effect to the general objectives of integrated environmental management laid down in this Chapter, the potential consequences for or impacts on the environment of listed activities or specified activities must be considered, investigated, assessed and reported on to the competent authority ... except in respect of those activities that may commence without having to obtain an environmental authorisation in terms of this Act.* [Our emphasis]

22 The present manner in which the EAP and Competent Authority manages the basic impact assessment process as five (5) separate BARs to authorise the development of the listed activities in the Western Block are clearly in contravention of the above stated provisions and principles of the NEMA and are unlawful in terms of section 6(2)(b) of the PAJA and will most likely be set aside on judicial review.



- 23 The Indalo Association herewith calls on the EAP and Competent Auth terminate the current unlawful and futile basic assessment process and to start anew by following an integrated impact assessment process that strictly complies with the legal requirements in the NEMA and the EIA Regulations as well as relevant gazetted guidelines and policies as is prudent under the rule of law.

#### POOR VISUAL IMPACT ASSESSMENT

- 24 The Visual Impact Assessment (VIA) **omits to illustrate the impact through montage at any vantage points associated with identified sensitive receptors.** There is thus no attempt whatsoever to visually communicate the impact on landscape and sense of place which is **a fatal flaw** and a material mistake on the part of the visual specialist, which is allegedly condoned by the EAP to accept and proceed with the BARs without any view simulations of what the WEF's will look like after development.
- 25 Considering the fact that there are numerous sensitive receptors within the viewshed, including eco-tourism operations, roads, and homesteads, it is unacceptable that the VIA's do not include view simulations. The Guideline for involving visual and aesthetic specialists in EIA processes (Oberholzer, B. (2005)) indicates in section 8.6 that where a high visual impact is expected, a level 4 assessment should be undertaken.
- 26 The requirements of a level 4 assessment are as follows:
- 26.1 Identification of issues raised in scoping phase, and site visit;
  - 26.2 Description of the receiving environment and the proposed project;
  - 26.3 Establishment of view catchment area, view corridors, viewpoints and receptors;
  - 26.4 Indication of potential visual impacts using established criteria;
  - 26.5 Inclusion of potential lighting impacts at night;



- 26.6 Description of alternatives, mitigation measures and monitoring programme ,
  - 26.7 Review by independent, experienced visual specialist (if required); and
  - 26.8 Complete 3D modelling and simulations, with and without mitigation.
- 27 The VIA dismisses any visual impact at a distance by stating "> 20km. Long distance view of the facility where the structures are not expected to be immediately visible and not easily recognisable". A study by the University of Newcastle (2002)<sup>9</sup> commissioned by Scottish Natural Heritage (based on their assessment of eight (8) wind farms) recommended a height-distance relationship for Zone of Visual Influence (ZVI) as shown in the following table (with increased heights relevant to Wind Garden and Fronteer WEFs VIA added by extrapolation).

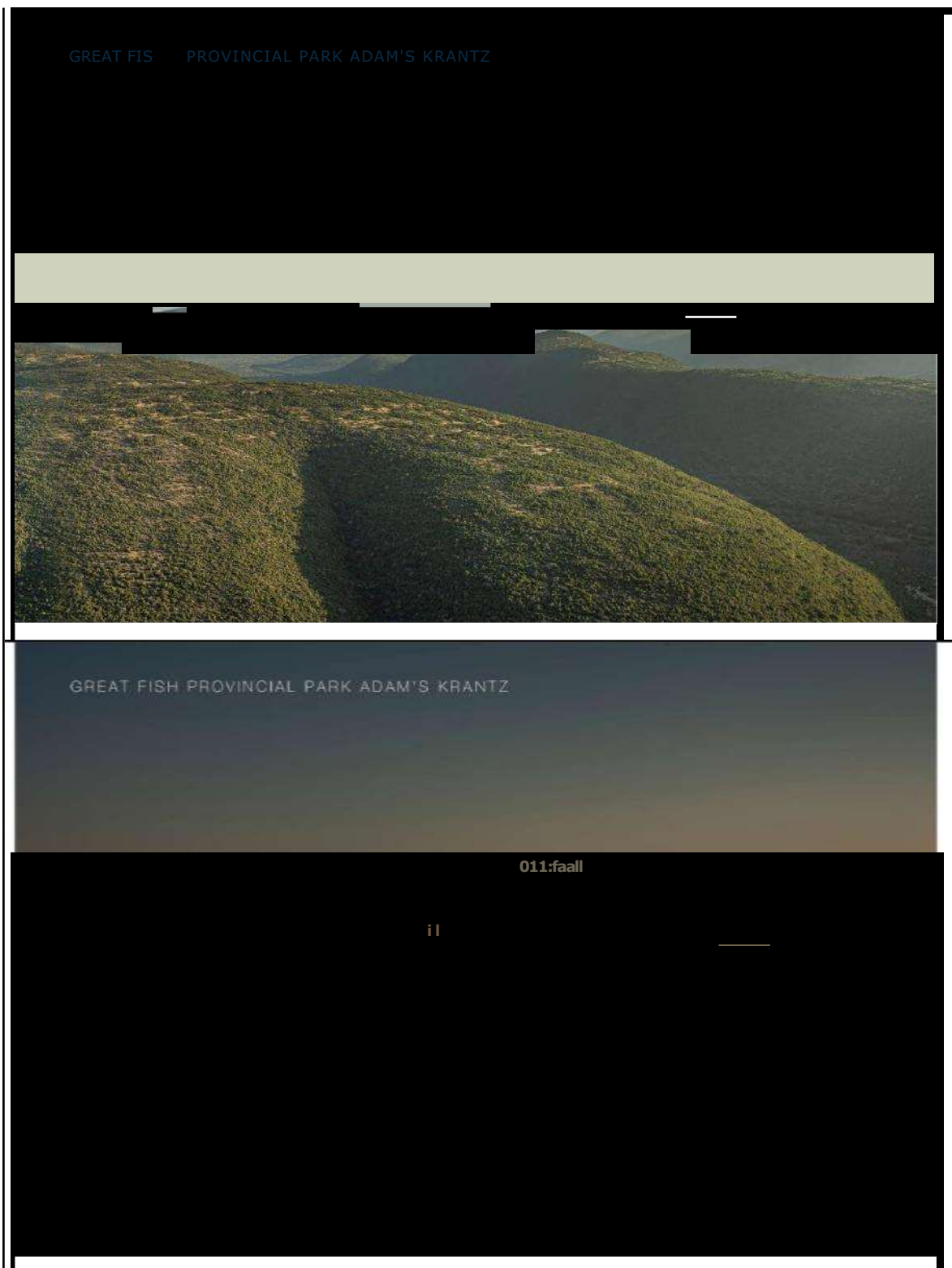
Height of turbines (total including rotors) (m)	Recommended ZVI distance (km)
50	16
70	20
85	26
100	30
246	74 (by extrapolation)

- 28 By way of illustration to the VIA specialist and the EAP the application of the above Guideline for involving visual and aesthetic specialists in EIA processes (Oberholzer, B. (2005)), the Indalo Association refers below to view simulations it had provided as part of its complaint to the EAP about the impact of the proposed Albany WEF on the Great Fish Provincial Reserve. This complaint illustrated the distance of impact during day and night/dusk. It is clear from the images provided below that these visual impacts are not only immediately visible and easily recognisable but also highly obtrusive and should be avoided. (It also illustrates the

<sup>9</sup> University of Newcastle, 2002, *Visual Assessment of Windfarms Best Practice*, Scottish Natural Heritage Commissioned Report FO1AA303A.



flawed reliance of the Wind Relic applications on a defective Albany WEF SEIA as explained later in these submissions).





- 29 The VIA specialist and EAP are further referred to a study by the Argonne National Laboratory for US Department of Energy Bureau of Land Management (BLM)<sup>10</sup> in 2012 that reported on the visual impact of wind and guidance on visibility.
- 29.1 The study was a systematic examination of the visual impact of five (5) existing wind farms in Wyoming and Colorado, with turbines of 90 — 120 m in tip height, and most of them were close to 120 m (thus just more than half of proposed WEFs at 200 m).
- 29.2 The report found that:
- "Under favourable viewing conditions, the wind facilities were judged to be major foci of visual attention at up to 19 km and likely to be noticed by casual observers at >37 km. ... A conservative interpretation suggests that for such facilities, an appropriate radius for visual impact analyses would be 48 km, that the facilities would be unlikely to be missed by casual observers at up to 32 km ... the facilities could be major sources of visual contrast at up to 16 km."*
- 29.3 The study further classified situations rated 5 or 6 as being of high impact and, on that basis, specified a limit of visual pre-eminence which **was 16 kms** for turbines 120 m high such that:
- "At this distance, the wind facility is a major focus of visual attention, drawing and holding visual attention ... The facility as a whole is likely to be perceived by some viewers as having a large visual impact."*
- 29.4 This comprehensive study was published, and peer reviewed and confirms the fallacy of the VIA specialist's statement: "> 20km. Long distance view of the facility where the structures are not expected to be immediately visible and not easily

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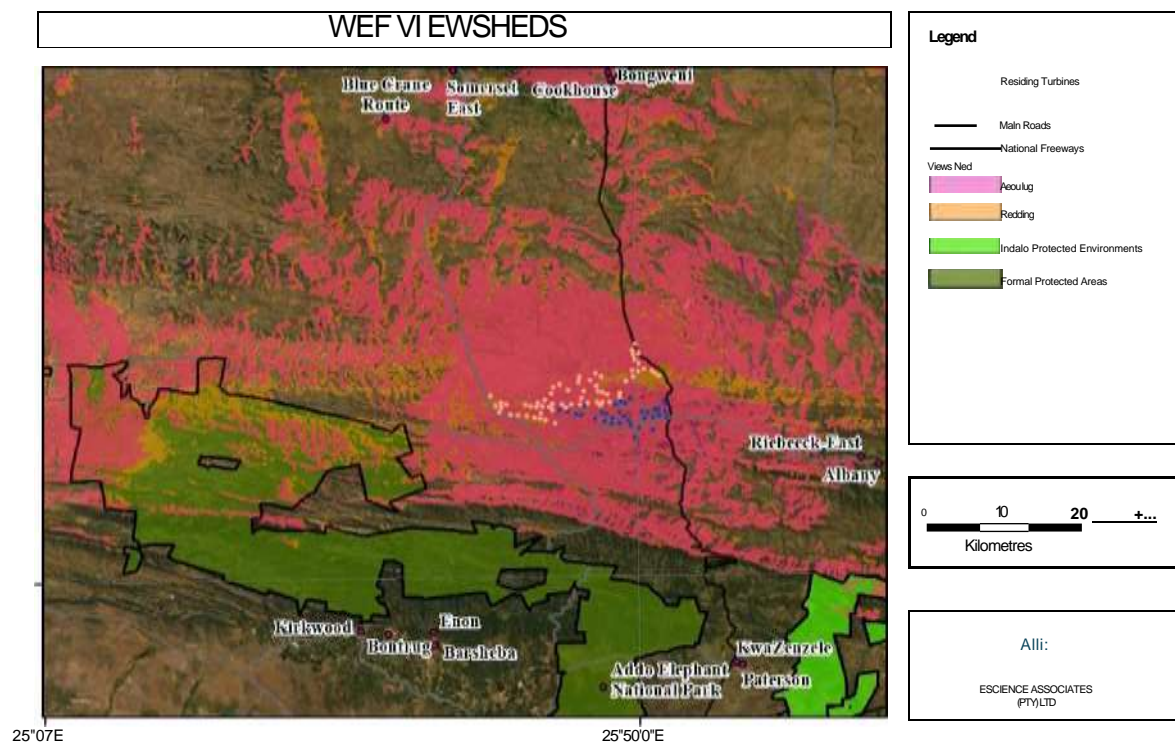
<sup>10</sup> Sullivan, Robert G., et. al., 2012, *Wind Turbine Visibility and Visual Impact Threshold Distances in Western Landscapes*, Argonne National Laboratory and the U.S. Department of the Interior, Bureau of Land Management. USA ("BLM Study").



*recognisable*". The study rather **confirms the significance of visual impact distance** and indicates the **fatal flaws in the VIA**.

30

Although the Redding and Aeolus VIAs provide viewshed maps, these maps are framed in such a manner that they cut out the northern most section of Addo Park so that the visibility of the WEFs from within Addo Park is excluded. The below viewshed analysis that doesn't cut off the northern parts of the Addo Park demonstrates that the WEFs will be substantially visible. Although this is at a distance, the mass of turbines (cumulative impact) will be highly visible in the distance from important Park tourist routes both during the day, and especially, at night. (The Addo Park reportedly offers night drives which are particularly popular with foreign visitors).



31

Apart from total lack of impact illustration, there is further no effort to consider the **cumulative visual impact of all the WEFs on Addo Park or Indalo member Shamwari Game Reserve**, nor on any of the surrounding wildlife and nature (eco) tourism operations in the immediate vicinity. The VIA thus does not communicate nor consider the cumulative impact of the WEFs generally, from the perspective of wildlife and nature focussed tourists visiting the region (including hunting), and





specifically not insofar as it concerns protected areas and their environments and services including tourism products.

- 32 The VIA further failed to consider the dynamic nature of the wind turbines and their impact on the unique sense of place of the affected protected areas. The large-scale infrastructure of the wind energy facility, in the form of turbine towers and blades, roads, and crane pads that will be built to allow for the construction and servicing of the turbines, will irrevocably impact the sense of place of the undisturbed African bush/wilderness character for wildlife and nature tourism operations by converting the landscape from wilderness and rural to one of industrial production (i.e., and energy landscape).
- 33 Section 24(1) of the NEMA requires the BARs to consider, investigate, assess, and report to the Competent Authority **all the potential** consequences for, or impacts on, the environment. Furthermore, regulation 19(3) of the EIA Regulations, 2014 prescribes that the BARs must contain the information specified in Appendix 1, which includes an assessment of all/each potential significant issue, impact and risk including cumulative impacts. The VIA specialist must describe and assess the potential impacts of the WEFs specifically for identified sensitive sites and must also identify areas which must be avoided. These provisions clearly require the EAP and the VIA specialist to have assessed the visual impact of the WEF on the Indalo and Addo Protected Areas.
- 34 Although the BARs and the VIAs made much of the fact that the development would be located within the gazetted Cookhouse REDZ, it should be noted that the REDZ visual sensitivity mapping at a regional scale indicated that the receiving environment of the visual impact of the WEFs was categorised as 'very high visual sensitivity' in this area. This means that it is not ideally suitable for wind farm development where the wilderness character forms the basis for wildlife and nature tourism (and more so if this is the basis for Protected Area and Private Game Reserve establishment and upkeep by biodiversity stewardship).
- 35 The Indalo Association submits that the VIA specialist had failed to engage the Eastern Cape Parks and Tourism to obtain their comments with the EAP as part of



the basic assessment process (so that it could have been subjected to comment ideally in the form of a conservation and tourism focus group).

36 Under Section 9 Impact Statement the VIA's indicate that the cumulative visual impact of the proposed WEFs is expected to be of high significance. The VIA further states that *"Even though it is possible that the potential visual impacts may be high within the context of the receiving environment, the proposed WEF development is not considered to be fatally flawed."* This reasoning seems to be based on the false assumption that the project is legally compliant, and that it would only be fatally flawed if the majority of stakeholders and decision-makers consider the impacts to be unacceptable. This approach is materially wrong given that the impacts to various sensitive receptors / viewpoints (in particular eco-tourism operations) have not been assessed in the VIA. Consequently, the conclusion that the impact does not constitute a fatal flaw cannot be defensibly arrived at with the information provided in the reports.

37 The Indalo Association concludes that the draft VIA has material scientific information gaps which makes it fatally flawed and not fit for use as a reliable scientific information source for the EAP or Competent Authority to make a rationally defensible and balanced decision about the WEF application(s). Reference is made to the provisions of sections 6(2)(e)(iii) and 6(2)(f)(ii)(cc) of the PAJA for rational and lawful administrative action.

## LACK OF NATURE AND WILDLIFE TOURISM IMPACT ASSESSMENT

38 For the effect of wind farms on visitor and business performance, the draft SEIA for Aeolus WEF states on page 52:

*"All tourism product owners, who were engaged with during the interviews above, stated that they felt there was no impact from the wind farms on their business performance. Additionally, no complaints about the nearby wind farms were received by the owners from customers. ... In liaison with eco-tourism business operators specifically, none of the respondents indicated any material change in their business operations as a direct result of wind farm developments in their*



*respective areas. ... It must be stated though that the responses above feedback from game lodges and nature-based establishments that predominantly cater for domestic tourists."*

- 39 It is evident that the SEIA specialist did not consult with Indalo Association members, Shamwari and Lalibela Game Reserves, which are internationally renowned, successful, and established wildlife and nature-based (eco-) tourism business operators, about the likely visual disturbance by the Aeolus and Redding WEFs on the unique sense of place. The affected members of the Indalo Association are Protected Areas that participate in the extremely competitive international market of high-end discerning wildlife nature-based (eco-) tourism with similar business operators in Kenya, Tanzania and Botswana who are not subject to development of large-scale wind energy facilities that will destroy the unique African bush and wildlife character of their game reserves.
- 40 There is no reference in the draft SEIA to the response by the leading international tour operator for wildlife and nature-based tourism, Thompson Africa, that indicated in the Wind Garden and Fronteer final SEIAs the significant negative impact of the WEFs developments to international wildlife and nature-based tourism to the area. Instead, as stated, the SEIA specialist simply superficially refers to the general impact to domestic tourism and entry level tourism establishments.
- 41 It is of particular importance that the BARs should properly assess the cumulative visual impact of all the planned and built WEFs in the surrounding area on the unique, unspoilt African wildlife and nature character and sense of place by the visual impact assessment, as well as in a separate tourism impact assessment by an independent expert in international wildlife and nature-based tourism. The present SEIA is a rather a general social and economic assessment that makes generic statements instead of providing a detailed sector specific international assessment of the impact of the development of largescale and mega WEFs.
- 42 The SEIA by the same consultants contradict their findings in other SEIAs with respect to the impact of WEFs on wildlife and nature-based (eco) tourism e.g. in their reports on the Plan 8 WEF application of 2013, and the Strategic Impact



Assessment Report (SIA) for the gazetting of the REDZ in 2014. In both studies the SEIA specialist clearly indicated the delicate relationship between WEF developments and their negative impact on wildlife and nature based (eco) tourism and consequently the effect on property values. Consequently, it recommended in the REDZ SEIA that no WEF must be developed within or inside the buffer zones of the protected areas or nature reserves. However, in this instance there is a consistent instance to WEF development not having a significant effect in direct contradiction to previous reports dealing with this subject.

- 43 The Indalo Association submits that the absence of a wildlife nature-based (eco) tourism impact assessment is a fatal flaw in these BARs, and it should be undertaken by the Applicants to enable the Competent Authority to make an informed and balanced decision.

#### DISCREDITED FALSE SOURCE OF INFORMATION IN SEIA

- 44 We again bring under the attention of the Competent Authority, that the Draft SEIA and Draft BARs persistently refer to the Albany WEF Draft Social Impact Assessment (March 2020 Terblanche report) as if it is a credible peer referenced scientific journal article, whereas it is a draft report containing false statements upon which the current applications rely. The Aeolus SEIAs state on pages 52-53 that:

*"Research performed by Terblanche (2020) included interviews with game farm owners/representatives from Pumba Private Game Reserve, eZulu Game Reserve and Amakhala Game Reserve. These representatives had stated that they had received no complaints from guests and have noted no changes to performance of their game farms as a result of the presence of wind farms (Waainek & Cookhouse WEFs). The reason stated for this was that overseas visitors are used to the sight of wind farms and were unlikely to be negatively impacted by their presence. It should be noted that though none of the turbines from Waainek or Cookhouse WEFs are directly visible from any of the lodges at the stated game/hunting farms."*



45 This is a false statement which was also made by the same SEIA specialia repeated by the EAP in the Wind Farm and Fronteer applications which the Indalo Association addressed in its submissions and in the Regulation 14 complaint lodged with the Competent Authority about the EAP and SEA specialist's alleged lack of objectivity and reasonable appreciation of bias.

*"The SEIA Specialist and EAP rely on the discredited study of Terblanche (Socio-economic Impact Assessment Report: Proposed Construction of the Albany Wind Energy Facility, Makana Local Municipality: 2020) prepared as part of a separate environmental authorisation for a different Wind Energy Facility in the region. In this study, Terblanche relied also on alleged one-on-one interviews with game farm owners or representatives from, amongst others, the Pumba Private Game Reserve, the eZulu Game Reserve and the Amakululu Game Reserve. According to Terblanche, these representatives stated that they had received no complaints from guests and have noted no changes to performance of the game farms as a result of the presence of windfarms. However, the Pumba Private Game Reserve is a member of the Indalo Association and has categorically rejected the credibility of these allegations by Terblanche as false (Refer to Annexure 'CM' hereto). The Pumba Private Game Reserve did not make such a statement; in fact, the experience was a clear negative impact on tourism to the Pumba Private Game Reserve as a result of the development of the Waainek Wind Energy Facility false (Refer to Annexure 'CN' hereto)."*

46 As can be seen on page 298 of the Wind Garden comments and responses report, the EAP and the SEIA specialist were made aware of these falsehoods in the Terblanche report (as far back as in 7 May 2021 by Mr Rob Gradwell of Lalibela Game Reserve in a letter to Savannah) well before the Western Block draft BARs were published, yet they continued to utilise the report as a published literature reference in the Hamlett, Ripponn, Redding and Aeoulus SEIA's and substantively in the latter Report, seemingly because its findings are favourable to the WEF developments.

47 In fact, the March 2020 Terblanche report was revised in March 2021 after the Indalo Association, as well Pumba and Lalibela submitted complaints about its false content. From a comparison of section 11.2.1 on pages 100 to 105 of both reports it is clear that the report no longer states what the Aeoulus SEIA has stated in the quoted paragraph above. Rather, pages 102 and 103 in the revised 2021 report states as follows:



" *Lalibela Game Farm reported that they have had to change ga routes to avoid turbine visual impact. Certain routes can now only be driven in direction away from Waainek and certain areas can only be traversed in daytime as night drives are spoiled by turbine light flicker;*

*Gameston Wildlife Retreat (Pumba) faces the Waainek turbines across the valley. As a result of complaints from visitors, a decision was made to remove the Gameston lodge from the Pumba Reserve offering and to remarket the facility to a different market;*

*No local research and published surveys could be obtained with regards to WEF impacts on tourism/livelihoods;*

*Wind farms and tourist destinations abroad (on which the published literature is based) differ from the study area in terms of the tourist product offered, landscapes, communities affected, localities of the wind farms as well as the sizes of the development;*

*From international literature consulted, no consensus exists with regards to wind farms' actual impacts on tourism (volumes, experiences, and revenue), tourists' destination of choice and so forth;*

*Some studies show that wind farms may have a negative effect on tourism demand and tourism expenditures in the affected area; whereas others were consistent in their conclusion that wind farms are innocuous in terms of local tourism demand, numbers, revenue and experiences;*

*Most respondents in the Kwandwe survey indicated a negative response towards such a development and the impact it would have to their experience (Africa and bush experience) and destination of choice;*

*Impacts that have manifested for game reserves affected by Cookhouse and Waainek WEF's were mostly as a result of visual aspects (especially night light flicker). Some game reserves have had to implement measures to address visual intrusions, i.e. to change game drive routes, do refurbishments and install lighting that distracts from light disturbances;*

*The tourism industry is highly competitive, sensitive and susceptible to subtle changes in market conditions, and it is recognised that a marginal change in the numbers of tourists could have a significant knock-on economic effect;*

*Proximity to turbines and their localities (visual impacts on lodges and strategic viewpoints on the game farms) together with impacts on the sense of place, which could be influenced by changes in landscape (scenic resources), could potentially influence the local tourism market and subsequently livelihoods."*



48 The Indalo Association submits that the above-mentioned reporting of al false information by the SEIA specialist and confirmation thereof by the EAP in the BAR's, is highly irregular. Moreover, it is extenuating grounds that the SEIA specialist continued to report the alleged misrepresentation despite the fact that the EAP was informed of the correct position by the Indalo Association. This alleged wilful and unlawful contravention of the peremptory requirements of regulation 13 of the EIA Regulations yet again further supports the Indalo Association's complaint to the Competent Authority why the SEIA reports and those parts of the BARs must be rejected for alleged lack of objectivity and a reasonable suspicion of bias by the SEIA specialist and EAP.

## CONCLUSION

49 We remind you that the Indalo Association is **exercising its fundamental rights** to protect the environment and its members' rights to property, the environment, administrative justice, to receive relevant information, and that a substantively fair process is followed during the five (5) BARs for the Western Block of the development. These rights are protected in sections 24, 25, 32 and 33 of the Constitution read with their statutory provision in section 24 of the NEMA and the EIA Regulations, 2014 and sections 3 and 6 of the PAJA, amongst other.

50 Indalo strictly reserves all its rights, including the right to continue to submit further comments directly to the competent authority at the Department after expiry of the EAPs allocated time for public comment which the latter is obliged to consider before taking a decision. In *Earthlife Africa* referred to above, the Court confirmed that section 24(4)(a)(v) of NEMA allows Indalo a reasonable opportunity to raise its concerns directly with the DEFF before it takes a decision.<sup>11</sup> Also refer to the judgement in *Escarpment Environment Protection Group and Another v Department of Water Affairs and Others*, 2013.<sup>12</sup>

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<sup>11</sup> Paras [100] and [101], see also paras [95] and [98].

<sup>12</sup> 2013 JDR 2700 (GNP).



51 Please confirm written receipt of this letter by **17h00 on 21 October 2021**,  
which receipt of same is assumed.

Yours faithfully

A handwritten signature in black ink, appearing to read 'E. Basson', with a long horizontal flourish extending to the right.

Per: Dr Ernst Basson



## Savannah Public Process

---

**From:** Savannah Public Process  
**Sent:** Thursday, 21 October 2021 08:51  
**To:** eba.law@worldonline.co.za  
**Subject:** RE: Five Environmental Applications by Wind Relic

No problem at all – the letter is correct and that is what is important.

---

**From:** eba.law@worldonline.co.za <eba.law@worldonline.co.za>  
**Sent:** Thursday, 21 October 2021 08:47  
**To:** Savannah Public Process <publicprocess@savannahsa.com>  
**Subject:** RE: Five Environmental Applications by Wind Relic

Dear Ms Venter,

Thank you for the confirmation of receipt.  
My apologies for the mistaken surname.

Yours sincerely,

Dr Ernst Basson



ernst basson  
attorneys

Cell: +27 82 499 2822  
Email: [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za)  
P.O. Box 205, Stellenbosch, 7599  
South Africa

Natural Resources Law | Environmental Law | Public Law

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**From:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Sent:** Thursday, 21 October 2021 06:14  
**To:** [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za)  
**Cc:** 'Vusi Skosana' <[VSkosana@environment.gov.za](mailto:VSkosana@environment.gov.za)>; 'Masina Litsoane' <[MLitsoane@environment.gov.za](mailto:MLitsoane@environment.gov.za)>; 'Lunga Dlova' <[LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)>; Nondumiso Bulunga <[Nondumiso@savannahsa.com](mailto:Nondumiso@savannahsa.com)>  
**Subject:** RE: Five Environmental Applications by Wind Relic

Dear Dr Basson,

Please receive herewith acknowledgement of the Indalo Letter dated 20 October 2021 attached to the email correspondence below.

Kind regards,



t: +27 (0)11 656 3237  
f: +27 (0) 86 684 0547

**Nicolene Venter**  
Public Participation and Social  
Consultant

e: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)  
c: +27 (0)60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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**From:** [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za) <[eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za)>  
**Sent:** Wednesday, 20 October 2021 19:29  
**To:** Savannah Public Process <[publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)>  
**Cc:** 'Vusi Skosana' <[VSkosana@environment.gov.za](mailto:VSkosana@environment.gov.za)>; 'Masina Litsoane' <[MLitsoane@environment.gov.za](mailto:MLitsoane@environment.gov.za)>; 'Lunga Dlova' <[LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)>  
**Subject:** Five Environmental Applications by Wind Relic

Dear Ms Muller,

Please find herewith correspondence on behalf of the Indalo Association for your kind attention.

Kindly confirm receipt hereof.

Yours sincerely,

Dr Ernst Basson



ernst basson  
attorneys

Cell: +27 82 499 2822  
Email: [eba.law@worldonline.co.za](mailto:eba.law@worldonline.co.za)  
P.O. Box 205, Stellenbosch, 7599  
South Africa

Natural Resources Law | Environmental Law | Public Law

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Hi Nicolene

Your response to my information I sent you is not objective and is extremely evasive .

The Constitution of South Africa is the supreme law of the Republic ,law or conduct inconsistent with it is invalid ,and the obligations imposed by it must be fulfilled .

In response to your mail ‘ as the environmental consultant we are unable to respond to the content of the document as these do not relate to the EIA process or the projects under consideration.’

The Cumulative impact (pls find definition in Government Gazette ,4 December 2014 ) of the information I sent you must be taken into account .

Government Gazette ,4 December 2014

Combination of applications

11 (3)

If a proponent or applicant intends undertaking more than one activity as part of the same development within the area of jurisdiction of a competent authority ,a single application must be submitted for such development and the assessment of impacts , including cumulative , where applicable, and consideration of the application , undertaken in terms of these Regulations , will include an assessment of all such activities forming part of the development .

This development falls under the above category’s , the applicant in all the applications is Wind Relic .

And not each individual wind farm as you have implied in your applications.

My property in relation to the Redding ,Aeoulus wind farm and the REDZ 3 Power corridor . I am a neighbour.

You can’t only justify Wind Relics actions by where they did it ,rather by what they did wrong .Wind Relic must be held accountable for their criminal actions .

## Appendix 1

(2)

The objectives of the basic assessment process is to, through a consultative process -

(d) through the undertaking of an impact and risk assessment process inclusive of cumulative impacts which focused on determining the geographical ,physical, biological ,social , economic, heritage and cultural sensitivity of the sites and location within sites and the risk of impact of the proposed activity and technology alternatives on the these aspects to determine -

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(i)the degree to which these impacts -

(aa) can be reversed

(bb)may cause irreplaceable loss of resources ;and

(cc)can be avoided ,managed or mitigated

The Competent authority who assesses the information provided must take all factors into account .

Consultation between competent authority and organs of state administering a law relating to a matter affecting the environment

(7) (2) the competent authority or EAP must consult with every organ of state that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorisation when such competent authority considers the application and unless agreement to the contrary has been reached the EAP will be responsible for such consultation .

Every application is going to be different, the information that I have provided ,needs to be distributed to various organs of state as it is relevant to this environment within the proposed application .

The environmental guidelines are there to help guide the EAP .the EAP cannot standardise all applications ,the EAP must be objective and take all information and apply it to individual applications .

Developers need to be held accountable for the environment within which they are working. Corruption in this environment needs to be identified and dealt with, this is to protect all parties wanting to enter this space the cumulative impact.

Developers need to know that they have to work within the confines of the Constitution of the republic of South Africa and the laws pertaining to that .

By the EAP simply saying this is not part of the EIA process is unacceptable, everyone has to be held accountable for their actions within this sphere .

Bill of rights 34 -Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or where appropriate another independent and impartial tribunal or forum .

## BILL OF RIGHTS

12 freedom of security of the person

(1)everyone has the right to freedom and security of the person, which includes the right - (c)to be free from all forms of violence from either public or private sources .

Freedom of trade, occupation and profession

22 Every citizen has the right to choose their trade, occupation or profession freely. the practice of trade, occupation or profession may be regulated by law.

My rights to trade freely in this environment was prejudiced by Wind Relics directors actions

1. Extortion of my shares

Directors stated that if I don't hand over my shares they will start a new company, extortion. it consists of taking from another some patrimonial or non-patrimonial advantage by intentional and unlawfully subjecting that person to pressure which induces him or her to submit to the taking .

2. Repudiation of my commission through a fraudulent lawyers letter . It is the unlawful and intentional making of a misrepresentation which causes actual prejudice or which is potentially prejudicial to another .

3. Verbal assault by Jonnathan Connellan 'I am going to fuck you up'.
4. Threats via lawyers letters and restricting my constitutional rights .
5. Defamation insinuating that I am acting unlawful.

Put together these constitute criminal harassment in my profession ,  
The actions of Wind Relic directors is in direct contravention of my  
Constitutional rights to be free in trade , occupation , profession and my  
freedom of security .

## BILL OF RIGHTS

33 (1) everyone has the right to administrative action ,that is  
lawful ,reasonable and procedurally fair .

(3) National legislation must be enacted to give effect to these rights and  
must

(a) provide for review of administrative action by a court or where  
appropriate an independent and impartial tribunal .

(b) impose a duty on the state to give effect to the rights in section (1) and  
(2)

(c) promote an efficient administration .

34- everyone has the right to have any dispute that can be resolved by the  
application of law decided in a fair public hearing before a court or where  
appropriate another independent and impartial tribunal or forum .

The Department of Forestry and Fisheries and the Environment has been  
delegated as the Administrator .

The DFFE must take all laws into account when fulfilling their duties as  
Administrator .

Administrators exercise public power .the public has agreed to  
administrator having power over them ,but in a democratic  
state ,administrators are expected to use this power for the public benefit .

The actions of Wind Relic have a Real Impact on my rights as a citizen of  
the Republic of South Africa .Wind Relics actions are criminal towards  
me .

The DFFE has a direct decision to make . The DFFE must uphold the Constitution of the Republic .

Wind Relic repudiation of the regulation is evident in the fact that I did not receive correspondence from the applicant within 7 days ,of the Frontier and Wind Garden projects being suspended .

According to the regulation 14 (6)if the application has reached a stage where a register of interested and affected parties has been opened in terms of regulation 42 , the applicant must , within 7 days from the suspension in terms of sub-regulation (1)(a) or decision in terms of subregulation (5) , inform all registered interested and affected parties of such suspension or decision .

To date I have only received correspondence from the EAP via a mail ,Informing me that the Frontier and Wind Garden wind farms have been suspended .

None from the applicant . This constitutes Disqualification of all applications .

Society is governed by the constitution ,legislation ,laws ,regulations and acts .social interaction is regulated by these .

As I am a neighbour to the Wind Relic developments I do not want to be subjected to living next to the development where the developers have negatively impacted me , subjected me to extortion ,fraud , verbal and written legal threats and tried to infringe on my constitutional rights .

Subjecting me to this is unconstitutional in itself .

Kind regards

Chad Comley