



Appendix A

ENVIRONMENTAL AUTHORISATION (EA)



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1784/1

Enquiries: Mr Muhammad Essop

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

Mr Michael Mangnall
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4045
Email Address: Mike.Mangnall@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Mangnall

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2012 FOR THE DEVELOPMENT OF A WIND AND PHOTOVOLTAIC (PV) ENERGY FACILITY AT BEAUFORT WEST IN THE CENTRAL KAROO DISTRICT MUNICIPALITY, WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above mentioned application by this Department on 20 March 2012, your application for an amendment of the EA received on 14 July 2016, the acknowledgement letter dated 14 July 2016, the draft additional information received for comment on 12 August 2016, the comments issued by this Department on 29 August 2016 and the additional information received on 11 October 2016 and 29 November 2016, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5, Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 20 March 2012 by issuing a new EA.

The attached EA will replace the EA as well as the subsequent amendments. All further amendments must be lodged on the attached EA.

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

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

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

M.S

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

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

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

By post: Private Bag X447,
Pretoria,
0001;

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

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

Yours faithfully



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

Date: 13/02/2017

cc	Ms Andrea Gibb	SIVEST SA (Pty) Ltd	E-mail: AndreaG@sivest.co.za
----	----------------	---------------------	--



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014

The Beaufort West 140MW Wind Farm near Beaufort West within the Prince Albert Local Municipality,
Western Cape Province

Central Karoo District Municipality

Authorisation register number:	<i>12/12/20/1784/1</i>
Last amended:	<i>Second Issue</i>
Holder of authorisation:	<i>South Africa Mainstream Renewable Power Developments (Pty) Ltd</i>
Location of activity:	<i>Portion 1 of the Farm Trakas Kuilen No. 15 Remainder of the Farm Trakas Kuilen No. 15 Portion 1 of the Farm Witpoortjie No. 16 near Beaufort West Prince Albert Local Municipality Central Karoo District Municipality Western Cape Province</i>

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

Decision

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

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

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

Activities authorised

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

SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD

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

with the following contact details –

Mr Michael Mangnall

PO Box 45063

CLAREMONT

7735

Telephone Number: (021) 657 4045

Cellphone Number: (083) 785 1492

Fax Number: (021) 671 5665

E-mail Address: Mike.Mangnall@mainstreamrp.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 & Listing Notice 2 (GN R. 386 & 387):

Listed activities
<p><u>GN R. 386 Item 15:</u></p> <p><i>"The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long."</i></p>
<p><u>GN R. 387 Item 1(a)(i):</u></p> <p><i>"The construction of facilities or infrastructure, including associated structures or infrastructure, for the generation of electricity where the electricity output is 20 megawatts or more; or the elements of the facility cover a combined area in excess of 1 hectare."</i></p>
<p><u>GN R 387 Item 2:</u></p> <p><i>"Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more."</i></p>

as described in the amended Environmental Impact Assessment Report (EIAr) dated October 2016 at:

21 SG Codes:

C	0	6	1	0	0	0	0	0	0	0	0	0	0	0	1	5	0	0	0	0	1
C	0	6	1	0	0	0	0	0	0	0	0	0	0	0	1	5	0	0	0	0	0
C	0	6	1	0	0	0	0	0	0	0	0	0	0	0	1	6	0	0	0	0	1

- for the 140MW Beaufort West Wind Farm and its associated infrastructure near Beaufort West within the Prince Albert Local Municipality, which falls under the jurisdiction of the Central Karoo District Municipality in the Western Cape, hereafter referred to as "the property".

Preferred site	South	East
B_01 (NW)	32° 53' 33.553" S	22° 31' 02.723" E
B_02 (NE)	32° 55' 43.623" S	22° 39' 52.717" E
B_03 (SE)	32° 57' 19.641" S	22° 38' 04.086" E
B_04 (SW)	32° 55' 28.932" S	22° 30' 45.470" E

The 140MW Beaufort West Wind Farm will comprise of the following:

- A maximum of 70 wind turbines with a hub height of 150m with a blade length of 75m;
- Site access roads;
- Hardened lay down areas for turbine assembling; and
- Operation and maintenance building.

Technical details of the proposed facility:

Component	Description / Dimensions
Location of the site	Beaufort West, Prince Albert Local Municipality and Central Karoo District Municipality, Western Cape
Farm names	Portion 1 of the Farm Trakas Kuilen No. 15 Remainder of the Farm Trakas Kuilen No. 15 Portion 1 of the Farm Witpoortjie No. 16
Site access	Off the N12 Site access road co-ordinates: 32°55'36.94"S 22°32'43.96"E
Export capacity	Up to 140MW
Proposed technology	Wind turbines
Number of turbines	Up to 70
Hub height from ground level	150 m
Rotor diameter	150 m
Width and length of internal roads	Up to 13.5 m wide and up to 6 km

Conditions of this Environmental Authorisation

Scope of authorisation

1. The 140MW Beaufort West Wind Farm and its associated infrastructure near Beaufort West within the Prince Albert Local Municipality, Central Karoo District Municipality in the Western Cape as described above is hereby approved.

2. The recommendations and mitigation measures recorded in the EIR dated February 2011 and the recommendations included within the 140MW Beaufort West Wind Energy Facility amended EIAr dated October 2016 must be adhered to.
3. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
4. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
5. The activities authorised may only be carried out at the property as described above.
6. Any changes to, or deviations from, the project description set out in this environmental authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further environmental authorisation in terms of the regulations.
7. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
8. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
9. Construction must be completed within five (05) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

11. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
12. The notification referred to must –
 - 12.1. specify the date on which the authorisation was issued;

- 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 12.4. give the reasons of the competent authority for the decision.
13. The holder of the authorisation must publish a notice –
 - 13.1. informing interested and affected parties of the decision;
 - 13.2. informing interested and affected parties where the decision can be accessed; and
 - 13.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

Commencement of the activity

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

Management of the activity

15. A copy of the final development layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - 15.1. Cable routes (where they are not along internal roads);
 - 15.2. Position of wind turbines and associated infrastructure;
 - 15.3. Internal roads indicating width;
 - 15.4. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 15.5. All sensitive features e.g. Critical Biodiversity Areas, National Protected Area Expansion Strategy areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage lines that will be affected by the facility and associated infrastructure;

- 15.6. Substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 15.7. Connection routes (including pylon positions) to the distribution/transmission network;
 - 15.8. All existing infrastructure on the site, especially roads;
 - 15.9. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 15.10. Buildings, including accommodation; and,
 - 15.11. All "no-go" and buffer areas.
16. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447,
Pretoria,
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko Road
Pretoria
0083

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

17. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
18. The EMPr amendment must include the following:
 - 18.1. The requirements and conditions of this authorisation.
 - 18.2. All recommendations and mitigation measures recorded in the amended EIAr dated October 2016.
 - 18.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 18.4. The final site layout map.
 - 18.5. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
 - 18.6. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
 - 18.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
 - 18.8. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
 - 18.9. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage

lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.

- 18.10. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
 - 18.11. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
 - 18.12. A fire management plan to be implemented during the construction and operational phases.
 - 18.13. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
 - 18.14. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
 - 18.15. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAR and this authorisation.
19. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
 20. Changes to the EMPr must be submitted to this Department for approval before such changes could be effected.
 21. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.

Frequency and process of updating the EMPr

22. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 29 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
23. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.

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

Monitoring

27. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 27.1. The ECO must be appointed before commencement of any authorised activities.
 - 27.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 27.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 27.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

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

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

Notification to authorities

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

Operation of the activity

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

Site closure and decommissioning

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

Specific conditions

Avifauna, fauna and bats

37. An avifauna and bat monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna and bats. This should commence prior to construction (to provide a benchmark) and continue for 24 months into the operational phase of the energy facility, after which only records of incidents can be kept. Reports regarding the avifauna and bat monitoring must be submitted to the relevant provincial environmental department, BirdLife South Africa, the Endangered Wildlife Trust (EWT), and CapeNature. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country. Confirmation of the submission of these reports is to be included in both audit reports to be submitted to the Department.
38. Pre-construction results of the monitoring programme must inform the final layout and the construction schedule of the energy facility.
39. Habitat destruction must be kept to an absolute minimum by restricting the lay-down areas, reducing the number and size/length of roads and reducing the final extent of the developed area.
40. The placement of light fixtures must be according to the specifications of the lighting engineer. In the placement of light fixtures attention must be given to reducing as far as possible the visual impacts associated with glare and light trespass. Confirmation of the lighting engineers input must be included in the first audit report.
41. Night lighting must be restricted to only what is required for the safe and efficient management of the activity.
42. Lighting for both the construction period and through the operation of the facility must be of the low pressure sodium type. All perimeter and security lighting must be attached to motion detectors.
43. Lighting on the turbines must be kept to a minimum and must be in accordance with the South African Civil Aviation Authority and other relevant legislative standards.
44. The facility infrastructure must be designed to discourage the use of infrastructure components as perching or roosting substrates by birds and bats.

Vegetation, wetlands and water resources

45. All species of special concern as identified in the specialist reports as possibly occurring on the site must be specifically identified and every effort must be made to rescue them.

46. Vegetation clearing must be limited to the approved footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
47. Critical available biodiversity information must be consulted for the final placement of turbines and infrastructure.
48. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF), for the removal of plants listed in the National Forest Act and from the relevant provincial department and/or relevant nature conservation agency for the destruction of species protected in terms of the specific provincial legislation. Copies of these permits must be included in the first audit report.
49. No construction activities (turbines, roads, substation) must be located in areas of slopes in excess of 1:4 falling within the Critical Biodiversity Areas (CBA's) and outside agricultural lands in pristine vegetation.
50. Construction activities must be restricted to restrict impact on vegetation, birds and animals.
51. All areas of disturbed soil must be reclaimed using only indigenous plant of the area. All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
52. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
53. All hard infrastructures must be located within existing areas of low sensitivity, as far as possible.
54. All turbines must be located at least 100m from the edge of any highly sensitive areas.
55. No exotic plants must be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
56. No activities must be allowed to encroach into a water course without a water use license being in place from the Department of Water Affairs.
57. Appropriate erosion mitigation must be implemented to prevent any potential erosion.
58. Cleared alien vegetation must be temporarily stored in a demarcated area.
59. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act (Act 43 of 1983).
60. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
61. Contractors and construction workers must be clearly informed of the no-go areas.
62. Siting of turbines should adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
63. Where roads pass right next to major water bodies, provision must be made for fauna such as toads to pass under the roads by using culverts or similar.

Roads and transportation

64. The statutory building restriction of a 500 m radius measured from an intersection on a national road or within 60 meters from the road reserve fence line on rural national roads must be implemented.
65. Approval must be obtained from SANRAL for the construction of any new access to a national road (N12). Confirmation of such approvals must be included in the first audit report submitted to the Department.
66. Existing road infrastructure must be used as far as possible for providing access to the proposed turbine positions. Where no road infrastructure exists, new roads should be placed within existing disturbed areas or environmental conditions must be taken into account to ensure the minimum amount of damage is caused to natural habitats.
67. A transportation plan must be developed, particularly for the transport of turbine main assembly cranes and other large pieces of equipment. A permit needs to be obtained from the Provincial Government Western Cape (PGWC) to transport abnormal loads on a national road. Copies of the permit must be included in the first audit report submitted to this Department.
68. A traffic management plan must be prepared for the site access roads to ensure that no hazardous situations would result from the increased truck traffic and that traffic flow would not be adversely impacted.
69. Construction vehicles carrying materials to the site must avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
70. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
71. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
72. Internal access roads must be located away from drainage bottoms and must avoid wetlands.
73. Internal access roads must be located to minimize stream crossings. All structures crossing streams must be located and constructed so that they do not decrease channel stability or increase water velocity.
74. Existing drainage must not be altered, especially in sensitive areas.
75. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
76. Signage must be erected at appropriate points warning of turning traffic and the construction site.
77. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

Noise

78. Construction staff must be given training in actions to minimise noise impacts.
79. The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site and facility are implemented.
80. The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
81. The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
82. The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
83. All noisy construction operations should only occur during daylight hours if possible.
84. All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45 dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors; such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.

Visual resources

85. The applicant must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
86. Signage on or near wind turbines should be avoided unless they serve to inform the public about wind turbines and their function.
87. Commercial messages and graffiti on turbines must be avoided.
88. The applicant must ensure that the paintings of the wind turbines are in accordance with the Aviation Act, 1982, Thirteenth Amendment of the Civil Aviation Regulations, 1997 and in a bird deterrent colour.
89. Laydown areas and stockyards must be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.
90. A buffer of 250 m must be maintained between the N12 and any wind turbines.
91. A setback of 1 km from the N12, 500 m from the farmsteads and 250 m from farm boundaries is recommended to partly conceal the turbines by natural ridgelines.
92. All turbine units must be positioned so as not to interfere/intrude upon backdrops to historic buildings, farm yards and other historical precincts of high architectural and aesthetic significance.

93. The applicant should start developing at the least visually /aesthetically sensitive area (N12 National Road) and progress from there.

Human health and safety

94. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
95. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
96. The applicant must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and must comply with the relevant communication regulations.
97. The applicant must obtain approval from the South Africa Civil Aviation Authority that the wind facility will not interfere with the performance of aerodrome radio Communication, Navigation and Surveillance (CNS) equipment prior to commencement of the activity. The approval must be included in the first audit report submitted to the Department.
98. The applicant must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
99. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction must be scheduled to take place within the post-harvest and pre-planting season, when fields are lying fallow.
100. No uncontrolled open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

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

- storage. The applicant must ensure that precautionary measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or stormwater system.
105. Streams, river, pans, wetlands, dams and their catchments and other environmental sensitive areas must be protected from the direct or indirect spillage of pollutants.
 106. No dumping or temporary storage of any materials must take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
 107. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
 108. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350 m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
 109. Temporary bunds must be constructed around chemical storage to contain possible spills.
 110. Spill kits must be made available on-site for the clean-up of spills.
 111. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste requiring disposal shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008).
 112. Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permited waste site and must be removed from the site when the construction phase is completed.

Excavation and blasting activities

113. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
114. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
115. Borrow pit materials must be obtained only from authorized and permitted sites.
116. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

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

118. Appropriate dust suppression techniques must be implemented on all exposed surfaces during periods of high wind. Such measures may include wet suppression, chemical stabilisation, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.

Historical / cultural / paleontological resources

119. A thorough field scoping survey of natural and already existing artificial rock exposures (e.g. dams, road cuts) within the study region as a whole must be undertaken by a qualified palaeontologist to identify specific areas or horizons of high paleontological sensitivity on the ground before construction commence.
120. Should further substantial fossil remains be exposed during construction, these must be recorded (e.g. photographed, with GPS location) and safeguarded by the responsible ECO, preferably in situ. Heritage Western Cape and / or a qualified palaeontologist should be alerted immediately so that any appropriate mitigation measures can be considered.
121. If there are any changes to the layout of the facility, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation permit.
122. Should any graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.
123. The final layout must be assessed by the heritage specialist. Archaeological monitoring during various stages of development of associated infrastructure is required. A monitoring report must be submitted to HWC.
124. A buffer zone of 1km from the site boundary to Palmietrivier and Amospoortjieshall be instituted.

Storm water management

125. A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion. The comprehensive storm water management plan must form part of the EMP.
126. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.

Turbines position

127. Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.
128. The wind turbines must be at least 1 km from the road reserve fence. Consent should be obtained from SANRAL and/or the relevant provincial transport authority should some of the turbines be cited within 1 km from the road reserve fence.
-

129. The recommendations of the EAP in the EIAr dated October 2016 submitted as part of the application for amendment and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

General

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

Date of environmental authorisation: 13/02/2017



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the EIR dated February 2011.
- b) The comments received from the Western Cape Provincial Department of Environmental Affairs and Development Planning, Heritage Western Cape, the Western Cape Department of Agriculture, SANRAL, organs of state and interested and affected parties as included in the EIR dated February 2011.
- c) Observations of the site visit conducted on 25 October 2011.
- d) Mitigation measures as proposed in the EIR dated February 2011 and the EMPr.
- e) The information contained in the specialist studies contained within Annex E - K of the EIR.
- f) The objectives and requirements of relevant environmental legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- g) The motivation provided in the application form received on 14 July 2016, the acknowledgement letter dated 14 July 2016, the draft additional information received for comment on 12 August 2016 and the additional information received on 11 October 2016 and 29 November 2016.

2. Key findings considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the electricity shortages prevalent in the country and the proposed development will contribute to and strengthen the existing energy grid for the area. In addition, the proposed project will aid in achieving the renewable energy target as well as the goal of a 30% share of all new power generation being derived from independent power producers (IPPs).
- c) The EIR dated February 2011 identified all legislation and guidelines that have been considered in the preparation of the EIR.

- d) The methodology used in assessing the potential impacts identified in the EIR dated February 2011 and the specialist studies have been adequately indicated.
- e) A public participation process was undertaken which has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.

3. Conclusion

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

- a) The majority of impacts on the natural environment associated with the proposed renewable energy facility of site layout S2 are considered to be of low significance.
- b) The visual assessment concluded that the potential visual impact of the proposed renewable energy facility is not considered to be a fatal flaw for the development.
- c) The identification and assessment of impacts are detailed in the EIR dated February 2011 and sufficient assessment of the key identified issues and impacts have been completed.
- d) The procedure followed for impact assessment is adequate for the decision-making process.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) The proposed measures in the EMPr for the pre-construction, construction and decommission phases of the development were included in the EIR and will be implemented to manage the identified environmental impacts during the construction process.

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



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1784/AM5

Enquiries: Mr Muhammad Essop

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

Mr Mike Mangnall
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 567 4045
Email Address: mike.mangnall@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Mangnall

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2012 FOR THE DEVELOPMENT OF A WIND AND PHOTOVOLTAIC (PV) ENERGY FACILITY AT BEAUFORT WEST IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 20 March 2012, the amendment to the EA dated 23 March 2015 and your application for amendment of the EA received by this Department on 14 December 2016 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 20 March 2012 as amended, as follows:

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

The activity must commence within a period of two (02) years from the date of the EA issued on 20 March 2012 as amended (i.e. the EA lapses on 20 March 2019). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

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

This proposed amendment letter must be read in conjunction with the EA dated 20 March 2012 as amended.

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

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

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

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

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

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

By post: Private Bag X447,
Pretoria,
0001;

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

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

Yours faithfully



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

Date: 25/01/2017

cc: Ms Surina Laurie	CSIR	Email: slaurie@csir.co.za
----------------------	------	---



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1784/AM1

Enquiries: Mr Muhammad Essop

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

Mr Mike Mangnall
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 567 4045
Email Address: mike.mangnall@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Mangnall

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2012 FOR THE DEVELOPMENT OF A WIND AND PHOTOVOLTAIC (PV) ENERGY FACILITY AT BEAUFORT WEST IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 20 March 2012 and your application for amendment to the EA received by this Department on 05 December 2014 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the EA dated 20 March 2012 as follows:

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

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 20 March 2012 (i.e. the EA lapses on 20 March 2017). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

Whilst it is noted that the applicant applied to extend the validity period of the EA for 05 years from the date of the amendment decision, this Department is hereby only granting an extension of 02 years from the date of expiry of the EA issued on 20 March 2012, as the receiving environment may have changed.

Amendment 2: Amendment to the contact person of the EA:

The current holder of the EA:

"Mainstream Renewable Power Gamka (Pty) Ltd South Africa"

Represented by: *Ms Leila Mahomed-Weideman*

PO Box 45063
CLAREMONT
7735

Tel: (021) 567 4040
Fax: (021) 671 5665
Cell: 083 789 2923
Email Address: Leila.mahomed-weideman@mainstreamrp.com

Is hereby amended to:

“South Africa Mainstream Renewable Power Developments (Pty) Ltd”

Represented by: Mr Michael Mangnall
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4045
Cell phone Number: (083) 785 1492
Fax Number: (021) 671 5665
Email Address: mike.mangnall@mainstreamrp.com

Amendment 3: Amendment to the farm Portions in the EA:

Page 03 and 04 of the EA:

“- for the establishment of a Wind and Solar Energy Facility at the Beaufort West site, which is located approximately 50 kilometres South of the town of Beaufort West, the land parcels are as follows: Portions 3 and 4 of Die PlaasKnapdraai 370; Portion 1 of Palmietfontein 370; Portion 1 Die PlaasTrakaskuilen 15; Portion 1 Die PlaasTrakaskuilen 16; and remainder of Die PlaasTrakaskuilen 15, within the jurisdiction of the Beaufort West Local Municipality in the Western Cape Province, hereafter referred to as “the property”.”

Is hereby amended to:

“- for the establishment of a Wind and Solar Energy Facility at the Beaufort West site, which is located approximately 50 kilometres South of the town of Beaufort West, the land parcels are as follows: Portion 1 Die PlaasTrakaskuilen 15; Remaining Extent of Portion 1 of the Farm Witpoortje No. 16; and remainder of Die PlaasTrakaskuilen 15, within the jurisdiction of the Beaufort West Local Municipality in the Western Cape Province, hereafter referred to as “the property”.”

Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko Road
Pretoria
0083

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

This proposed amendment letter must be read in conjunction with the EA dated 20 March 2012.

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

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

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

By post: Private Bag X447,
Pretoria, 0001; or
By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria, 0083

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

Appeals must be submitted in writing to:

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

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

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the decision or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: *23/03/2015*

cc:	Ms Nadia Mol	ERM	Email: Nadia.Mol@erm.com
-----	--------------	-----	--------------------------

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

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive decision from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive decision from Applicant/Consultant.
2. Within 12 days of date of the decision notify all IAPs of the decision and draw their attention to their right to appeal against the decision in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the decision, submit a notice of intention to appeal within 20 days of the date of the decision with the Minister of Environmental Affairs (the Minister).	3. If you want to appeal against the decision, submit a notice of intention to appeal within 20 days of the date of the decision with the Minister of Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. An appeal must be:-

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



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

NEAS Reference: DEAT/EIA/12967/2011

DEA Reference: 12/12/20/1784

Enquiries: MmatlalaRabothata

Telephone: 012-395 1768 **Fax:** 012-320-7539 **E-mail:** mrabothata@environment.gov.za

Ms. Leila Mahomed-Weideman
Mainstream Renewable Power Gamka South Africa
P.O. Box 45063
CLAREMONT
7735

Fax no: 021-671-5665
Tel no: 021-657-4040

PER FACSIMILE / MAIL

Dear Ms. Mahomed-Weideman

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 386 AND 387: PROPOSED DEVELOPMENT OF A RENEWABLE ENERGY FACILITY AT THE BEAUFORT WEST, BEAUFORT WEST LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to accept your Final Environmental Impact Assessment Report (EIAR) dated February 2011 and grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

Activities applied for as listed in GN R.386, activity 14, is no longer listed in terms of the new Regulations, 2010, and is thus not authorised.

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

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

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

By facsimile: 012 320 7561;
By post: Private Bag X447,

By hand: Pretoria, 0001; or
2nd Floor, Fedsure Building, North Tower,
chr. Van der Walt and Pretorius Streets,
Pretoria.

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

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

Appeals must be submitted in writing to:

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

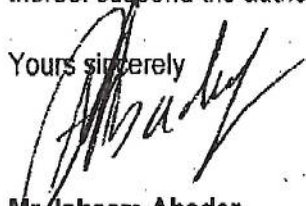
Tel: 012-310-3929

Email: twane@environment.gov.za

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

Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



Mr. Ishaam Abader
Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs

Date: 20/08/2012

CC:	Ms Tania Swanepoel	Environmental Resource Management	Tel: 021-702-9100	Fax: 021-701-7900
	Mr Malcom Lamour	Western Cape DEA&DP	Tel: 044-805-8617	Fax: 044-874-2423
	Mr Japhta Booysen	Beaufort West Local Municipality	Tel: 023 414 8020	Fax: 023 415 1373
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

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

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;

2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

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





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

Development of a Wind and Photovoltaic (PV) Energy Facility at Beaufort West in the Western
Cape Province

Central Karoo District Municipality

Authorisation register number:	12/12/20/1784
NEAS reference number:	DEAT/EIA/12967/2011
Last amended:	<i>First issue</i>
Holder of authorisation:	MAINSTREAM RENEWABLE POWER GAMKA (PTY) LTDSOUTH AFRICA
Location of activity:	WESTERN CAPE PROVINCE: <i>near Beaufort West in the Beaufort West Local Municipality</i>

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

Decision

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

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

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

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises –

MAINSTREAM RENEWABLE POWER GAMKA (PTY) LTD SOUTH AFRICA

with the following contact details –

Ms. Leila Mahomed-Weideman
Mainstream Renewable Power Gamka (Pty) Ltd South Africa
PO Box 45063
CLAREMONT
7735

Tel: (021) 657 4040

Fax: (021) 671 5665

Cell: 083 789 2923

E-mail: leila.mahomed-weideman@mainstreamrp.com



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

Notice number	Activity number	Activity description
GN R.386	1(l)	The construction of facilities or infrastructure, including associated structures or infrastructure, for the transmission and distribution of electricity above ground with a capacity of more than 33 kilovolts and less than 120 kilovolts.
GN R.386	15	The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long
GN R.387	1(a) (i) (ii)	The construction of facilities or infrastructure, including associated structures or infrastructure, for the generation of electricity where the electricity output is 20 megawatts or more; or the elements of the facility cover a combined area in excess of 1 hectare.
GN R.387	2	Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.

as described in the Environmental Impact Report (EIR) dated February 2011 at:

Alternative S2	Latitude	Longitude
Southern border	32°45'6.76" S	22°30'49.64" E
Middle point	33° .27119 S	22°33'31.40" E
Northern border	33° 0'6.20" S	22°33'5.80" E

- for the establishment of a Wind and Solar Energy Facility at the Beaufort West site, which is located approximately 50 kilometres South of the town of Beaufort West, the land parcels are as follows: Portions 3 and 4 of Die PlaasKnapdraai 370; Portion 1 of Palmiefontein 370; Portion 1 Die PlaasTrakaskuilen 15; Portion 1 Die PlaasTrakaskuilen 16; and Remainder of Die



PlaasTrakaskuilen 15, within the jurisdiction of the Beaufort West Local Municipality in the Western Cape Province, hereafter referred to as "the property".

The applicant proposes to establish 200 - 260 wind turbines and photovoltaic arrays of 140ha to generate between 360MW and 590MW of electricity. It is anticipated that the turbines would generate 120MW while the output of the PV component would be 50MW. The total size of the proposed site is 334ha.

The infrastructure associated with this facility includes:

- 200 (up to - 260) wind turbines;
- Photovoltaic arrays of 140ha;
- Site access roads (existing roads will be used);
- Sub-station and electrical connections;
- Hardened lay down areas for turbine assembling; and
- Operation and maintenance building.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred Site Layout alternative 2, with turbine micro-siting adhering to the specific conditions identified below, is approved.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation shall be responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the properties as described above.
5. The recommendations and mitigation measures recorded in the EIR dated February 2011 must be adhered to.

6. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
7. This activity must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
8. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
9. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
10. The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

Notification of authorisation

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



Management of the activity

13. The applicant must submit a final layout plan for the entire energy facility to the Department for approval before commencement of the activity may begin. The layout must include the following:
- Turbine and PV array positions;
 - Foundation footprint;
 - Permanent laydown area footprint;
 - Construction period laydown footprint;
 - Internal roads indicating width (construction period width and operation period width). Road sections must be numbered to make commenting on sections possible;
 - Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - Heritage sites that will be affected by the turbines, PV arrays and associated infrastructure as identified in the specialist reports;
 - Sub-station(s) and/or transformer(s) sites including their entire footprint;
 - Cable routes and trench dimensions (where they are not along internal roads);
 - Connection routes to the distribution/transmission network;
 - Cut and fill areas at turbine sites along roads and at substation/transformer sites indicating the expected volume of each cut and fill;
 - Borrow pits;
 - Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - Buffer areas;
 - Buildings including accommodation; and
 - All "no-go" areas as identified in the specialist reports.
14. The final layout plan must also be superimposed (overlain) on an environmental sensitivity map to be submitted to the department.
15. The Environmental Management Plan (EMP) submitted as part of the application for environmental authorisation must be amended and submitted to the Department for written approval prior to commencement of the activity.
16. Once approved, the EMP must be implemented and adhered to. The amended EMP must also include the following:

- 16.1 All recommendations and mitigation measures recorded in the EIR dated February 2011.
- 16.2 The requirements and conditions of this authorisation.
17. A "Plant Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be compiled by a vegetation specialist familiar with the site in consultation with the ECO. This plan must be implemented prior to commencement of the construction phase;
 - 17.1 A Re-vegetation and Habitat Rehabilitation Plan to be implemented during construction and operation of the facility;
 - 17.2 An Open Space Management Plan to be implemented during construction and operation of the facility;
 - 17.3 An Alien Invasive Management Plan to be implemented during construction and operation of the facility; and
 - 17.4 A stormwater Management Plan to be implemented during construction and operation of the facility.
 - 17.5 A transportation plan for the transport of turbine components, main assembly cranes and other large pieces of equipment.
 - 17.6 A traffic management plan for the site access roads to ensure that no hazards situations result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimise impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb the existing retail and commercial operations.
 - 17.7 An avifauna and bat monitoring programme to document the effect of the operation of the energy facility on avifauna and bats. This must be compiled by a qualified specialist.
 - 17.8 Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
 - 17.9 An alert and action plan should fossils, bones or implements be uncovered during construction.
 - 17.10 An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.

- 18 The approved EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
- 19 Changes to the EMPr, which are environmentally defensible, shall be submitted to this Department for acceptance before such changes could be effected.
- 20 The Department reserves the right to request amendments to the EMPr should any impacts that were not anticipated be discovered.
- 21 The provisions of the approved EMPr including the mitigation measures identified in the BAR and specialist' studies shall be an extension of the conditions of this EA and therefore noncompliance with them shall constitute noncompliance with the EA.
- 22 The holder of this authorisation must appoint a qualified vegetation, fauna, heritage and avifauna specialists to ground-truth every infrastructure footprint and their recommendation must inform the final layout of the facility and the EMPr to be submitted to the department for approval. Proof of this engagement must be included in the final information submitted.

Environmental Control Officer (ECO) and duties

23. The applicant must appoint a suitably experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.
24. The ECO must be appointed before commencement of any authorised activity.
25. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
26. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
27. A detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register must be kept on site indicating how these issues were addressed, what rehabilitation measures were taken and what preventative measures were implemented to avoid re-occurrence of incidents/complaints.
28. In addition the ECO must maintain the following on site:
 - 28.1 A daily site diary.
 - 28.2 Copies of all reports submitted to the Department.
 - 28.3 A schedule of current site activities including the monitoring of such activities.

29. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
30. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Environmental audit report

31. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at the Department.
32. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
33. The environmental audit report must:
 - 33.1 Be conducted by an independent environmental auditor;
 - 33.2 Indicate the date of the audit, the name of the auditor and the outcome of the audit;
 - 33.3 Evaluate compliance with the requirements of the approved EMP and this environmental authorisation;
 - 33.4 Include measures to be implemented to attend to any non-compliances or degradation noted;
 - 33.5 Include copies of any approvals granted by other authorities relevant to the development for the reporting period; and
 - 33.6 Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed.

Commencement of the activity

34. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
35. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.



36. The applicant must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource. A copy of the license must be submitted to the *Director: Environmental Impact Evaluation* at the Department.

Notification to authorities

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

Operation of the activity

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

Site closure and decommissioning

40. Should the activity ever cease or become redundant, the applicant must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

Specific conditions

Avifauna, fauna and bats

41. An avifauna, bat and riverine rabbit monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna, bats and riverine rabbits. This should commence prior to construction (to provide a benchmark) and continue for 24 months into the operational phase of the energy facility, after which only records of incidents can be kept. Reports regarding the avifauna, bat and riverine rabbit monitoring must be submitted to the relevant provincial environmental department.

- BirdLife South Africa, the Endangered Wildlife Trust (EWT), and CapeNature. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country. Confirmation of the submission of these reports is to be included in both audit reports to be submitted to the Department.
42. Pre-construction results of the monitoring programme must inform the final layout and the construction schedule of the energy facility.
 43. Habitat destruction must be kept to an absolute minimum by restricting the lay-down areas, reducing the number and size/length of roads and reducing the final extent of the developed area.
 44. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
 45. The placement of light fixtures must be according to the specifications of the lighting engineer. In the placement of light fixtures attention must be given to reducing as far as possible the visual impacts associated with glare and light trespass. Confirmation of the lighting engineers input must be included in the first audit report.
 46. Night lighting must be restricted to only what is required for the safe and efficient management of the activity.
 47. Lighting for both the construction period and through the operation of the facility must be of the low pressure sodium type. All perimeter and security lighting must be attached to motion detectors.
 48. Lighting on the turbines must be kept to a minimum and must be coloured (red or green) and intermittent, rather than permanent and white, to reduce confusion effects for nocturnal migrants.
 49. The facility infrastructure must be designed to discourage the use of infrastructure components as perching or roosting substrates by birds and bats.

Vegetation, wetlands and water resources

50. All species of special concern as identified in the specialist reports as possibly occurring on the site must be specifically identified and every effort must be made to rescue them.



51. Vegetation clearing must be limited to the approved footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
52. Critical available biodiversity information must be consulted for the final placement of turbines, PV panels and infrastructure.
53. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF), for the removal of plants listed in the National Forest Act and from the relevant provincial department and/or relevant nature conservation agency for the destruction of species protected in terms of the specific provincial legislation. Copies of these permits must be included in the first audit report.
54. No construction activities (turbines, roads, PVA's, substation) must be located in areas of slopes in excess of 1:4 falling within the Critical Biodiversity Areas (CBA's) and outside agricultural lands in pristine vegetation.
55. Construction activities must be restricted to restrict impact on vegetation, birds and animals.
56. All areas of disturbed soil must be reclaimed using only indigenous plant of the area. All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
57. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
58. All hard infrastructures must be located within existing areas of low sensitivity, as far as possible.
59. All turbines and PV arrays must be located at least 100m from the edge of any highly sensitive areas.
60. No exotic plants must be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
61. No activities must be allowed to encroach into a water course without a water use license being in place from the Department of Water Affairs.
62. Appropriate erosion mitigation must be implemented to prevent any potential erosion.
63. Cleared alien vegetation must be temporarily stored in a demarcated area.
64. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act (Act 43 of 1983).
65. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.



66. Contractors and construction workers must be clearly informed of the no-go areas.
67. Siting of turbines should adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
68. Where roads pass right next to major water bodies, provision must be made for fauna such as toads to pass under the roads by using culverts or similar.

Roads and transportation

69. The statutory building restriction of a 500 m radius measured from an intersection on a national road or within 60 meters from the road reserve fence line on rural national roads must be implemented.
70. Approval must be obtained from SANRAL for the construction of any new access to a national road (N12). Confirmation of such approvals must be included in the first audit report submitted to the Department.
71. Existing road infrastructure must be used as far as possible for providing access to the proposed turbine and PV array positions. Where no road infrastructure exists, new roads should be placed within existing disturbed areas or environmental conditions must be taken into account to ensure the minimum amount of damage is caused to natural habitats.
72. A transportation plan must be developed, particularly for the transport of turbine and PV components, main assembly cranes and other large pieces of equipment. A permit needs to be obtained from the Provincial Government Western Cape (PGWC) to transport abnormal loads on a national road. Copies of the permit must be included in the first audit report submitted to this Department.
73. A traffic management plan must be prepared for the site access roads to ensure that no hazardous situations would result from the increased truck traffic and that traffic flow would not be adversely impacted.
74. Construction vehicles carrying materials to the site must avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
75. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.



76. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
77. Internal access roads must be located away from drainage bottoms and must avoid wetlands.
78. Internal access roads must be located to minimize stream crossings. All structures crossing streams must be located and constructed so that they do not decrease channel stability or increase water velocity.
79. Existing drainage must not be altered, especially in sensitive areas. The solar PV area must be relocated to the area immediately east of the transmission line.
80. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
81. Signage must be erected at appropriate points warning of turning traffic and the construction site.
82. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

Noise

83. Construction staff must be given training in actions to minimise noise impacts.
84. The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site and facility are implemented.
85. The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
86. The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
87. The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
88. All noisy construction operations should only occur during daylight hours if possible.
89. All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45 dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors; such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.

Visual resources

90. The applicant must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
91. Signage on or near wind turbines should be avoided unless they serve to inform the public about wind turbines and their function.
92. Commercial messages and graffiti on turbines must be avoided.
93. The applicant must ensure that the paintings of the wind turbines are in accordance with the Aviation Act, 1982, Thirteenth Amendment of the Civil Aviation Regulations, 1997 and in a bird deterrent colour.
94. Laydown areas and stockyards must be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.
95. A buffer of 250 m must be maintained between the N12 and any wind turbines.
96. A setback of 1 km from the N12, 500 m from the farmsteads and 250 m from farm boundaries is recommended to partly conceal the turbines by natural ridgelines.
97. All turbine units must be positioned so as not to interfere/intrude upon backdrops to historic buildings, farm yards and other historical precincts of high architectural and aesthetic significance.
98. The applicant should start developing at the least visually /aesthetically sensitive area (N12 national road) and progress from there.

Human health and safety

99. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
100. Potential interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
101. The applicant must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and must comply with the relevant communication regulations.



102. The applicant must obtain approval from the South Africa Civil Aviation Authority that the wind facility will not interfere with the performance of aerodrome radio Communication, Navigation and Surveillance (CNS) equipment prior to commencement of the activity. The approval must be included in the first audit report submitted to the Department.
103. The applicant must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
104. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction must be scheduled to take place within the post-harvest and pre-planting season, when fields are lying fallow.
105. No uncontrolled open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

106. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
107. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
108. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.
109. An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or stormwater system.
110. Streams, river, pans, wetlands, dams and their catchments and other environmental sensitive areas must be protected from the direct or indirect spillage of pollutants.
111. No dumping or temporary storage of any materials must take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
112. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.

113. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350 m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
114. Temporary bunds must be constructed around chemical storage to contain possible spills.
115. Spill kits must be made available on-site for the clean-up of spills.
116. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste requiring disposal shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008).
117. Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permitted waste site and must be removed from the site when the construction phase is completed.

Excavation and blasting activities

118. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
119. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
120. Borrow pit materials must be obtained only from authorized and permitted sites.
121. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

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

Historical / cultural / paleontological resources

124. A thorough field scoping survey of natural and already existing artificial rock exposures (e.g. dams, road cuts) within the study region as a whole must be undertaken by a qualified palaeontologist to identify specific areas or horizons of high paleontological sensitivity on the ground before construction commence.
125. Should further substantial fossil remains be exposed during construction, these must be recorded (e.g. photographed, with GPS location) and safeguarded by the responsible ECO, preferably in situ. Heritage Western Cape and / or a qualified palaeontologist should be alerted immediately so that any appropriate mitigation measures can be considered.
126. If there are any changes to the layout of the facility, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation permit.
127. Should any graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.
128. The final layout must be assessed by the heritage specialist. Archaeological monitoring during various stages of development of associated infrastructure is required. A monitoring report must be submitted to HWC.
129. A buffer zone of 1km from the site boundary to Palmietrivier and Amospoortjieshall be instituted.

Storm water management

130. A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion. The comprehensive storm water management plan must form part of the EMP.
131. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.

Turbines position

132. Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.



133. The wind turbines must be at least 1 km from the road reserve fence. Consent should be obtained from SANRAL should some of the turbines be cited within 1 km from the road reserve fence.

Overhead power line

134. A walk-through survey of the final power line corridor must be undertaken by a botanical specialist, an ornithologist and a heritage specialist to identify areas where mitigation may be required. Confirmation of their input and the implementation of their recommendations must be included with the submission of the final layout plan.
135. All sections of the proposed power line passing over, or in close proximity of grasslands, rivers, wetlands, and dams must be marked with suitable bird flight diverters in order to deter large birds from colliding with any powerline. Additional areas of high sensitivity along the preferred alignment must be identified by an avifaunal specialist for the fitment of anti-collision devices according to Eskom Transmission Guidelines.

General

136. A copy of this authorisation and the approved EMP must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
137. The holder of the authorisation must notify both the Director: Environmental Impact Evaluation and the Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
138. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.



139. Copies of all permits mentioned above must be submitted to the Department for record keeping.

Date of environmental authorisation: 20 MARCH 2012



Mr Ishaam Abader

**Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs**

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the EIR dated February 2011;
- b) The comments received from the Western Cape Provincial Department of Environmental Affairs and Development Planning and Heritage Western Cape, Western Cape Department of Agriculture, SANRAL, organs of state and interested and affected parties as included in the EIR dated February 2011;
- c) Observations of the site visit conducted on 25 October 2011;
- d) Mitigation measures as proposed in the EIR dated February 2011 and the EMP;
- e) The information contained in the specialist studies contained within Annex E - K of the EIR; and
- f) The objectives and requirements of relevant environmental legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key findings considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the electricity shortages prevalent in the country and the proposed development will contribute to and strengthen the existing energy grid for the area. In addition, the proposed project will aid in achieving the 2013 renewable energy target as well as the goal of a 30% share of all new power generation being derived from independent power producers (IPPs).

- c) The EIR dated February 2011 identified all legislation and guidelines that have been considered in the preparation of the EIR dated July 2011.
- d) The methodology used in assessing the potential impacts identified in the EIR dated February 2011 and the specialist studies have been adequately indicated.
- e) A public participation process was undertaken which has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.

3. Conclusion

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

- a) The majority of impacts on the natural environment associated with the proposed renewable energy facility of site layout S2 are considered to be of low significance.
- b) The visual Assessment concluded that the potential visual impact of the proposed renewable energy facility is not considered to be a fatal flaw for the development.
- c) The identification and assessment of impacts are detailed in the EIR dated February 2011 and sufficient assessment of the key identified issues and impacts have been completed.
- d) The procedure followed for impact assessment is adequate for the decision-making process.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) The proposed measures in the EMP for the pre-construction, construction and decommission phases of the development were included in the EIR and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental



environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a name, possibly "M. M. M. M.", written in a cursive or semi-cursive style.



Appendix B
AUTHORITY CONSULTATION



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/1784/1

Enquiries: Mr Jay-Jay Mpelane

Tel: 012 399 9404, **E-mail:** jmpelane@environment.gov.za

Mr Stephan Jacobs
SiVEST Environmental consultant
PO Box 2921
Rivonia
2128

Tell number: (011) 798 0600
Email address: stephanj@sivest.co.za

PER E-MAIL / MAIL

Dear Mr Jacobs

ACKNOWLEDGEMENT OF RECEIPT OF NOTIFICATION OF AMENDMENT ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED DEVELOPMENT OF THE BEAUFORT WEST 140MW WIND FARM WITHIN THE PRINCE ALBERT LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE

The Department confirms having received the notification application for amendment of environmental authorisation for the above-mentioned project on 12 August 2019.

All documentation delivered to the physical address must be delivered during the official Departmental Office Hours which is visible on the Departmental gate. EIA related documents (includes application forms, reports or any EIA related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box will not be accepted.

Please note that your notification application for amendment of environmental authorisation falls within the ambit of amendment to be applied for in terms of **Part 2** of Chapter 5 of the Environmental Impact Assessment Regulation (EIA) 2014, as amended.

Please note that Regulation **31** of the EIA Regulation, 2014, as amended, states that:

An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level nature of impact where such level nature of impact was not—

- a) assessed and included in the initial application for environmental authorisation; or
 - b) taken into consideration in the initial environmental authorisation;
- and the change does not, on its own, constitute a listed or specified activity.

You are therefore required to comply with **Regulation 32** of Chapter 5 of the EIA Regulation 2014, as amended.

You are requested to submit the following information:

- Originally signed application form, the declaration of which must be signed by the applicant, whose name is reflected on the application as the person to whom the environmental authorisation was issued.
- All required revised specialists studies.

J.M.

Further note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.

Yours sincerely,



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Letter signed by: Mr Jay-Jay Mpelane
Designation: Specialised production
Date: 04/09/2019

Stephan Jacobs

From: Jay-Jay Mpelane <JMpelane@environment.gov.za>
Sent: Wednesday, 04 September 2019 11:29 AM
To: Stephan Jacobs
Cc: Lerato Mokoena
Subject: Acknowledgment letter of notification of amendment EA-1784/1
Attachments: Acknowledge Amendment-1784.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Stephan,

Please find attached acknowledgment letter of notification of amendment Environmental Authorisation.

Regards,
Jay

'Please consider the environment before you print this email'

This message and any attachments transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. If you have received this message in error please destroy it and notify the sender. Any unauthorized usage, disclosure, alteration or dissemination is prohibited. The Department of Environmental Affairs accepts no responsibility for any loss whether it be direct, indirect or consequential, arising from information made available and actions resulting there from. The views and opinions expressed in this e-mail message may not necessarily be those of Management.

Stephan Jacobs

From: Stephan Jacobs
Sent: Wednesday, 04 September 2019 11:39 AM
To: 'Jay-Jay Mpelane'
Cc: Lerato Mokoena; Kerry Schwartz; Liandra Scott-Shaw
Subject: RE: Acknowledgment letter of notification of amendment EA-1784/1

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Mr Mpelane,

Acknowledgement letter received. Thank you very much for this.

Kind Regards,

Stephan Jacobs (*B.Sc. (Hons) Environmental Management and Analysis*)
Environmental Consultant / Visual Specialist
SiVEST Environmental Division



SiVEST is a Level 3 BBBEE Contributor

D +27 11 798 0677 | **T** +27 011 798 0600 | **M** +27 72 737 2114 **E** stephanj@sivest.co.za | **W** www.sivest.co.za

Engineering Consulting | Project Management | Environmental Consulting | Town & Regional Planning | Management Systems Consulting
Durban | Johannesburg | Pretoria | Pietermaritzburg | Richards Bay | Port Louis (Mauritius)

From: Jay-Jay Mpelane [mailto:JMpelane@environment.gov.za]
Sent: Wednesday, 04 September 2019 11:29 AM
To: Stephan Jacobs <StephanJ@sivest.co.za>
Cc: Lerato Mokoena <LMokoena@environment.gov.za>
Subject: Acknowledgment letter of notification of amendment EA-1784/1

Dear Stephan,

Please find attached acknowledgment letter of notification of amendment Environmental Authorisation.

Regards,

Jay

'Please consider the environment before you print this email'

This message and any attachments transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. If you have received this message in error please destroy it and notify the sender. Any unauthorized usage, disclosure, alteration or dissemination is prohibited. The Department of Environmental Affairs accepts no responsibility for any loss whether it be direct, indirect or consequential,