



forestry, fisheries & the environment

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

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

DFFE Reference: 14/12/16/3/3/1/2314

Enquiries: Mr Lunga Dlova

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Wind Garden (Pty) Ltd
Postnet Suite No 145
Private Bag X13130
Humewood
PORT ELIZABETH
6013

Cellphone Number: 083 395 8179
Email Address: hylton@windrelic.net

PER EMAIL / MAIL

Dear Sir/Madam

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE 129MW WIND GARDEN WIND FARM AND ASSOCIATED INFRASTRUCTURE, LOCATED ON A SITE APPROXIMATELY 17KM NORTH-WEST OF MAKHANDA WITHIN THE MAKHANDA LOCAL MUNICIPALITY, SARAH BAARTMAN DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE.

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

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

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

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

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

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

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

By email: appeals@dffe.gov.za;

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

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

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

Yours faithfully



Mr Vusi Skosana
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 27 June 2022

cc:	Dayalan Govender	Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)	Email: Dayalan.govender@DEDEA.gov.za
	Moppo Mene	Makana Local Municipality	Email: mmene@makana.gov.za
	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com



forestry, fisheries & the environment

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

Environmental Authorisation

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

The 129MW Wind Garden Wind Farm and Associated Infrastructure, located on a site approximately 17km North-West of Makhanda within the Makhana Local Municipality in the Eastern Cape Province.

Sarah Baartman District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/2314</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Wind Garden (Pty) Ltd</i>
Location of activity:	<i>Remaining Extent of Farm Brackkloof No 183; Portion 5 of Farm Hilton No 182; Portion 8 of Farm Hilton No 182; Portion 4 of Farm Vandermerweskraal No 132; Portion 1 of Farm Thursford No183 on Ward 01 within the Makhana Local Municipality, Sarah Baartman District Municipality in the Eastern 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, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

WIND GARDEN (PTY) LTD

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

with the following contact details –

Mr Hylton Cecil Newcombe
Wind Garden (Pty) Ltd
Postnet Suite No 145
Private Bag X13130
Humewood
PORT ELIZABETH
6013

Cellphone Number: 083 395 8179
Email Address: hylton@windrelic.net

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 11(i):</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</i></p>	<p>The Wind Garden Wind Farm will require the construction and operation of a 132kV switching station and a 132/33kV on-site collector substation to be connected via a 132kV overhead power line (twin turn dual circuit) to facilitate the connection of the facility to the national grid. The connection point of the facility will be the existing Poseidon – Albany 132kV line present within the project site. The project site assessed for the siting of the Wind Garden Wind Farm is located outside of an urban area.</p>
<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 12(ii)(a)(c):</u> <i>"The development of (ii) infrastructure or structures with a physical footprint of 100 square meters or more; where such development occurs (a) within a watercourse or (c) within 32 meters of a watercourse, measured from the edge of a watercourse."</i></p>	<p>The development of the Wind Garden Wind Farm will require the establishment of infrastructure (including internal access roads) with a physical footprint exceeding 100m² within a watercourse or within 32m of a watercourse identified within the project site. The development footprint of the wind farm will be ~25ha in extent.</p>
<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 14:</u> <i>"The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic meters or more but not exceeding 500 cubic meters."</i></p>	<p>The development and operation of the Wind Garden Wind Farm will require infrastructure for 120 cubic metres of storage of dangerous goods, which will include flammable and combustible liquids such as oils associated with the on-site collector substation and switching station transformers, lubricants and solvents.</p>

5

<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 19:</u> <i>“The infilling or depositing of any material of more than 10 cubic meters into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock of more than 10 cubic meters from a watercourse.”</i></p>	<p>The development footprint is located within watercourses and pans. Therefore, during the construction phase, 10 cubic metres of rock will be removed from the watercourses for the development of the Wind Garden Wind Farm and associated infrastructure.</p>
<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 24(ii):</u> <i>“The development of a road with a reserve wider than 13, 5 meters, or where no reserve exists the road is wider than 8 meters.”</i></p>	<p>The main access roads providing access to the wind farm will be up to 8m wide.</p>
<p><u>GN R327, 08 December 2014 (as amended on 07 April 2017) – Activity 28(ii):</u> <i>“Residential, mixed, retail, commercial, industrial, or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</i></p>	<p>The Wind Garden Wind Farm (considered to be an industrial development) will be constructed and operated on land currently used for agricultural purposes, mainly grazing. The development footprint considered for the establishment of the wind farm is ~25ha in extent and is located outside an urban area.</p>
<p><u>GN R325, 08 December 2014 (as amended on 07 April 2017) – Activity 1:</u> <i>“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.”</i></p>	<p>The Wind Garden Wind Farm will make use of wind energy as a renewable energy resource. The project will have a contracted capacity of up to 129MW.</p>
<p><u>GN R325, 08 December 2014 (as amended on 07 April 2017) – Activity 15:</u> <i>“The clearance of an area of 20 hectares or more of indigenous vegetation.”</i></p>	<p>The project will require the clearance of an area of ~25ha (equivalent to the development footprint) of vegetation. The project is proposed on a property where the predominant land use is grazing and comprises of indigenous vegetation. The project would therefore result in the clearance of an area of indigenous vegetation greater than 20ha in extent.</p>

<p><u>GN R324, 08 December 2014 (as amended on 07 April 2017) – Activity 4(a)(i)(ee):</u> <i>“The development of a road wider than 4 metres with a reserve less than 13,5 metres</i> <i>(a) in the Eastern Cape,</i> <i>(i) outside urban areas,</i> <i>(ee) within critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.”</i></p>	<p>The Wind Garden Wind Farm will require main access roads up to 8m wide and internal access roads up to 4,5m wide. The project site is located within the Eastern Cape Province, outside of an urban area and falls within critical biodiversity areas 1 and 2 as per the Eastern Cape Biodiversity Plan.</p>
<p><u>GN R324, 08 December 2014 (as amended on 07 April 2017) – Activity 12(a)(ii):</u> <i>“The clearance of an area of 300 square metres or more of indigenous vegetation</i> <i>(a) in the Eastern Cape,</i> <i>(ii) within critical biodiversity areas identified within bioregional plans.”</i></p>	<p>The Wind Garden Wind Farm requires the clearance of ~25ha of indigenous vegetation. The project site is located within the critical biodiversity areas as per the Eastern Cape Biodiversity Plan.</p>
<p><u>GN R324, 08 December 2014 (as amended on 07 April 2017) – Activity 14(ii)(a)(c)(a)(i)(ff):</u> <i>“The development of -</i> <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more, where such development occurs</i> <i>(a) within a watercourse, and</i> <i>(c) if no development setback has been adopted , within 32 metres of a watercourse, measured from the edge of a watercourse,</i> <i>(a) in the Eastern Cape,</i> <i>(i) outside urban areas and</i> <i>(ff) within critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.”</i></p>	<p>The development of the Wind Garden Wind Farm will require the establishment of infrastructure (including internal access roads) with a physical footprint exceeding 10m² within a watercourse or within 32m of a watercourse identified within the project site. The development footprint of the wind farm will be ~66.6ha in extent. The project site is located within the Eastern Cape, outside of an urban area and within areas identified as critical biodiversity areas as identified in the Eastern Cape Biodiversity Plan.</p>

125

<p><u>GN R324, 08 December 2014 (as amended on 07 April 2017) – Activity 18(a)(i)(ee)(ii)(KK):</u> <i>“The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre</i> <i>(a) in the Eastern Cape,</i> <i>(i) outside urban areas,</i> <i>(ee) within critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans,</i> <i>(ii) in areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined and</i> <i>(KK) within a watercourse.”</i></p>	<p>Existing roads within the project site will need to be upgraded and widened by more than 4m. The project site is located in the Eastern Cape, outside of urban areas and include critical biodiversity areas as per the Eastern Cape Biodiversity Plan. Watercourses are present within the project site.</p>
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as described in the revised Basic Assessment Report (BAR) dated April 2022 at:

Attached on this Environmental Authorisation is a Wind Garden Wind Energy Facility and associated infrastructure Layout Plan as **Annexure 2**.

SG 21 Code: Wind Garden Wind Energy Facility

- » Remaining Extent of Farm Brackkloof No 183 - C0020000000018300000
- » Portion 5 of Farm Hilton No 182 - C0020000000018200005
- » Portion 8 of Farm Hilton No 182 - C0020000000018200008
- » Portion 4 of Farm Vandermerweskraal No 132 – C0020000000013200004
- » Portion 1 of Farm Thursford No183 - C0020000000018300001

Ward: 01

Local and/or District Municipality: the Makhana Local Municipality in the Sarah Baartman District Municipality.

Province: Eastern Cape Province.

Wind Garden Wind Energy Facility and Associated Infrastructure:

Point	Latitude	Longitude
Corner point 1	33°12'34.14"S	26°21'11.48"E
Corner point 2	33°12'36.21"S	26°21'28.45"E

65

Corner point 3	33° 12'49.09"S	26°21'7.34"E
Corner point 4	33° 12'53.85"S	26°21'23.67"E
Overhead Line 132 kV	Latitude	Longitude
Start	33° 13'15.79"S	26°23'17.33"E
Middle	33° 12'56.88"S	26°23'25.98"E
End	33° 12'52.90"S	26°23'12.60"E
132kv Collector Substation	Latitude	Longitude
Corner 1	33° 13'13.90"S	26°23'10.87"E
Corner 2	33° 13'17.17"S	26°23'23.42"E
Corner 3	33° 13'19.84"S	26°23'7.67"E
Corner 4	33° 13'23.24"S	26°23'20.27"E

- for the 129MW Wind Garden Wind Farm and Associated Infrastructure, located on a site approximately 17km North-West of Makhanda within the Makhana Local Municipality, Sarah Baartman District Municipality in the Eastern Cape Province, hereafter referred to as "the property".

The development footprint will contain the following infrastructure to enable the wind farm to generate up to 129MW:

- ❖ Up to 23 wind turbines with a maximum hub height of up to 115m. The tip height of the turbines will be up to 190m.
- ❖ A 132kV switching station and a 132/33kV on-site collector substation to be connected via a 132kV overhead power line (twin turn dual circuit). The wind farm will be connected to the national grid through a connection from the 132/33kV collector substation via the 132kV power line which will connect to the 132kV switching station that will loop in and loop out of the existing Poseidon – Albany 132kV power line which will be located inside of the project site.
- ❖ Concrete turbine foundations and turbine hardstands.
- ❖ Temporary laydown areas which will accommodate the boom erection, storage and assembly area.
- ❖ Cabling between the turbines, to be laid underground where practical.
- ❖ Access roads to the site and between project components with a width of approximately 4,5m. The main access points will be 8m wide.
- ❖ A temporary concrete batching plant.
- ❖ Staff accommodation (temporary).
- ❖ Operation and Maintenance buildings including a gate house, security building, control centre, offices, warehouses, a workshop and visitor's centre.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The 129MW Wind Garden Wind Farm and Associated Infrastructure, located on a site approximately 17km North-West of Makhanda within the Makhana Local Municipality, Sarah Baartman District Municipality in the Eastern Cape Province is approved as per the geographic coordinates cited in the table above on page 06 and 07.
2. 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.
3. 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.
4. The activities authorised may only be carried out at the property as described above.
5. 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.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Department for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) 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.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. 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.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended 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

13. The site layout plans as attached as Appendix O – Wind Garden Wind Energy Facility (Maps) of the revised BAR dated April 2022 is approved.
14. The Environmental Management Programme (EMPr) and Generic EMPr submitted as part of the revised BAR dated April 2022 is approved and must be implemented and adhered to.
15. The 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.
16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.

17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 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.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. 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.
21. 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 the EIA Regulations, 2014 as amended. 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.
22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

23. The holder of the authorisation must appoint an experienced 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.
 - 23.1. The ECO must be appointed before commencement of any authorised activities.

- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. 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

24. 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*.
25. 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*.
26. 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 the EIA Regulations, 2014 as amended.
27. 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.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended 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.
29. 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

30. 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

31. 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

32. 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 Department at that time.

Specific conditions

33. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
34. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
35. Vegetation clearing must be limited to the required footprint for actual construction works and operational activities. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
36. Fossil material must be housed in an official collection (museum or university), while all reports and fieldwork must meet the minimum standards for paleontological impact studies proposed by SAHRA (2012).
37. Any archaeological material or human burials uncovered during construction activities, work in the immediate area must be halted, the find reported to the heritage authorities and inspected by an archaeologist.
38. Fossil discoveries ought to be protected and the ECO/site manager must report to SAHRA (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: www.sahra.org.za) so that suitable mitigation (recording and collection) can be carried out.

39. All mitigation measures detailed within the revised Basic Assessment report dated April 2022, as well as the recommendations from the specialist reports contained within Appendices D to M, must be implemented and adhered to.
40. 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 must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

41. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 41.1. at the site of the authorised activity;
 - 41.2. to anyone on request; and
 - 41.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
42. 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: 22 June 2022



Mr Vusi Skosana

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 04 March 2021.
- b) The information contained in the revised BAR dated April 2022.
- c) The comments received from the Department of Agriculture, Land Reform and Rural Development; the Department of Human Settlements, Water and Sanitation; Eskom Holdings SOC Limited; South African Civil Aviation Authority (CAA); South African Heritage Resources Agency (SAHRA); South African National Roads Agency Limited (SANRAL); South African Radio Astronomy Observatory (SARAO); Eastern Cape Provincial Heritage Resources Authority; BirdLife South Africa; Endangered Wildlife Trust (EWT); Wildlife and Environment Society of South Africa (WESSA); the Department of Economic Development, Environmental Affairs and Tourism, Department of Forestry, Fisheries and the Environment, Department of Mineral Resources and Energy and interested and affected parties as included in the revised BAR dated April 2022.
- d) Mitigation measures as proposed in the revised BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the revised BAR dated April 2022 and as appears below:

Title	Prepared by	Appendix
Terrestrial Ecology (including fauna and flora)	Simon Todd of 3foxes Biodiversity Solutions	Appendix D
Avifauna (including monitoring)	Adri Barkhuysen of East Cape Diverse Consultants and Dr Steve Percival of Ecology Consulting	Appendix E
Bats (including monitoring)	Michael Brits and Mark Hodgson of Arcus Consultancy Services South Africa	Appendix F
Aquatic Impact Assessment	Dr Brian Colloty of EnviroSci	Appendix G
Soil, Land Use, Land Capability and Agricultural Potential	Andrew Husted of The Biodiversity Company	Appendix H
Heritage (including archaeology, palaeontology and cultural landscape)	Cherene de Bruyn and Wouter Fourie of PGS Heritage and Elize Butler of Banzai Environmental	Appendix H
Noise Impact Assessment	Morné de Jager of Enviro Acoustic Research (EAR)	Appendix J
Visual Impact Assessment	Lourens du Plessis of LOGIS	Appendix K
Traffic Impact Assessment	Lourens du Plessis of LOGIS	Appendix M
Socio-economic Impact Assessment	Conrad Swart and Matthew Keeley of Urban-Econ	Appendix L

EMPr and Generic EMPrs	Savannah Environmental (Pty) Ltd	Appendix N1 – N2 & N3
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2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The revised BAR dated April 2022 identified all legislation and guidelines that have been considered in the preparation of the revised BAR.
- d) The location of the proposed Wind Garden Wind Energy Facility and Associated Infrastructure.
- e) The methodology used in assessing the potential impacts identified in the revised BAR dated April 2022 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

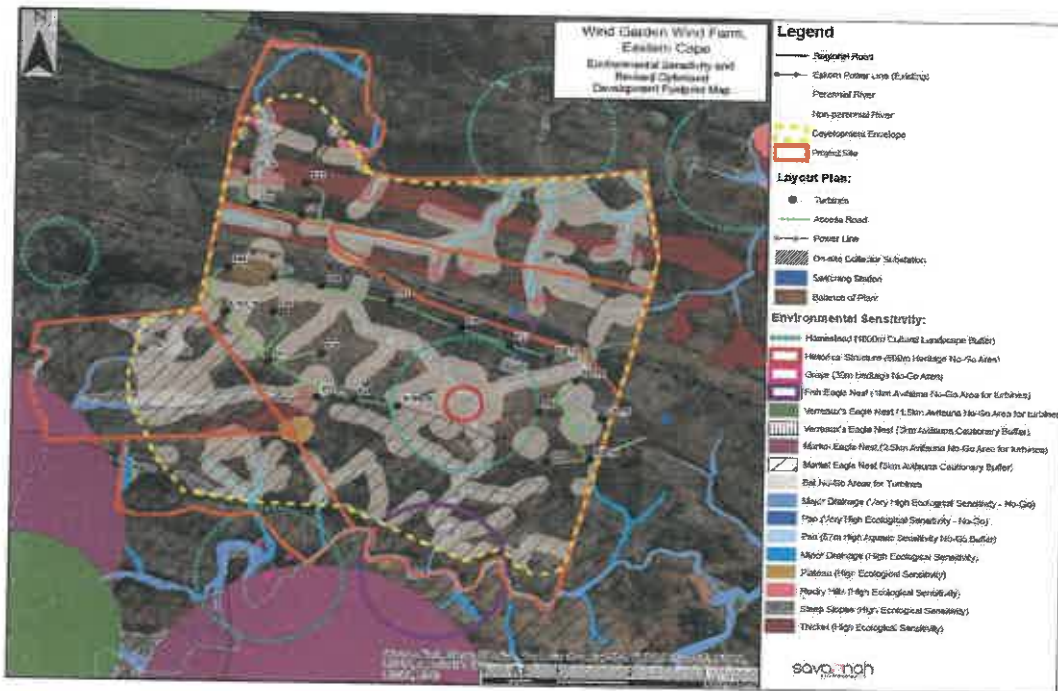
3. Findings

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

- a) The identification and assessment of impacts are detailed in the revised BAR dated April 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the revised BAR dated April 2022 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the revised BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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

Annexure 2: Wind Garden Wind Energy Facility and Associated Infrastructure Layout Plan



15



forestry, fisheries & the environment

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

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Mr. Vusi Skosana
Director: National Infrastructure Projects

Dear Mr Skosana

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 20 TO 24 JUNE 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 20 June to 24 June 2022 whilst Ms Milicent Solomons is on annual leave.

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

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

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

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

Yours sincerely

Ms Devinagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and Sector Monitoring)
Date 17 June 2022

ACKNOWLEDGEMENT

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

Signed: _____

Date: _____

20 June 2022