



Department of Environmental Affairs  
2<sup>nd</sup> Floor, Fedsure Forum Building, North Tower  
Corner Lilian Ngoyi and Pretorius Streets  
**PRETORIA**

NEAS Reference: DEA/EIA/0001086/2012

DEA Reference: 12/12/20/2321/3

Our reference: 10777 – Noupoort 188.6MW Wind  
Farm

Date: 14 February 2014

**ATTENTION: MRS THULISILE PORTIA NYALUNGA**

Dear Mrs. Nyalunga

**APPLICATION FOR AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION: PROPOSED  
CONSTRUCTION OF A 188.6MW WIND ENERGY FACILITY AND ITS ASSOCIATED  
INFRASTRUCTURE NEAR NOUPOORT, NORTHERN CAPE PROVINCE**

**DEA Ref No: 12/12/20/2319**

**NEAS Ref No: DEA/EIA/0000382/2011**

On the 29th of October 2012 South Africa Mainstream Renewable Power Noupoort (Pty) Ltd (hereafter referred to as "Mainstream") was granted Environmental Authorisation (EA) to construct a 188.6MW Wind Energy Facility and its associated infrastructure near Noupoort in the Northern Cape Province. However reasons as stipulated below have arisen which necessitate the need for amending the EA in its current form. These include the following:

1. The authorised Listed Activity on Page 4 of the EA is incorrect. The Listed Activity that was authorised in the EA was GN R546, Activity 39, to which there is no listed activity in terms of the EIA Regulations, 2010. The Listed Activity should be changed to GN R544, Activity No.39 as stipulated in Listing Notice 1 of the EIA Regulations, June 2010.

In light of the above, SiVEST hereby submit the application form to amend the EA in order to correct the above details.

Kindly acknowledge receipt of this communication and advise on the process to be followed in this regard.

Yours sincerely

Divisional Director M J Wright (Managing)  
Divisional Manager J A Barnard  
A Division of SiVEST Directors S D Leach (Chairman), M J Wright (Managing), S G Joubert, M J Meikle-Braes, W A Pearce,  
H G D Regnaud, G R Sims, K P Smith, K Soni, G G Visser, A W Wewege  
Offices: South Africa Durban, Johannesburg, Ladysmith, Pietermaritzburg, Richards Bay, Cape Town. Africa Harare (Zimbabwe).

Part of the SiVEST Group

SIVEST SA (Pty) Ltd Registration No. 2000/006717/07 t/a SIVEST



1952 - 2012  
**60**  
YEARS  
OF EXCELLENCE

## Application for Amendment of Environmental Authorisation



### environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

#### **Application for amendment of an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, and the Environmental Impact Assessment Regulations 2010**

#### **Kindly note that:**

1. This form must be used to apply for the amendment of an environmental authorisation. An amendment includes:
  - a) adding, substituting, removing or changing a condition or requirement of an environmental authorisation, or
  - b) or updating or changing any details or correcting a technical error.

*Please note that amendment **does not** include expansion (according to the EIA Regulations "expansion" means "the modification, extension or alteration of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased").*

2. This form is current as of 16 July 2012. It is the responsibility of the Applicant / EAP to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
3. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. It is in the form of a table that can extend itself as each space is filled with typing.
4. Incomplete applications may be rejected or returned to the applicant for amendment.
5. The use of "not applicable" in the form must be done with circumspection. Where it is used in respect of material information that is required by the competent authority for assessing the application, this may result in the rejection of the application as provided for in the regulations.
6. **No faxed or e-mailed applications will be accepted.**
7. Unless protected by law, all information contained in and attached to this application, will become public information on receipt by the competent authority. Upon request during any stage of the application process, the applicant / EAP must provide any registered interested and affected party with the information contained in and attached to this application.
8. This form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. Should the application form and attached reports not be submitted to the addresses given below it will be rejected.

**DEPARTMENTAL DETAILS**

**Postal address:**

Department of Environmental Affairs  
Attention: Director: Integrated Environmental Authorisations  
4<sup>th</sup> floor ST  
Private Bag X447  
Pretoria  
0001

**Physical address:**

Department of Environmental Affairs  
Attention: Director: Integrated Environmental Authorisations  
4<sup>th</sup> floor ST  
Fedsure Forum Building (corner of Pretorius and Van der Walt Streets)  
2<sup>nd</sup> Floor North Tower  
315 Pretorius Street  
Pretoria  
0002

Queries must be directed to the Directorate: Integrated Environmental Authorisations at:  
Tel: (012) 310-3167 Fax (012) 320-7539

***Please note that this form must be copied to the relevant provincial environmental department(s)***  
**View the Department's website at <http://www.environment.gov.za/> for the latest version of the documents.**

Application for Amendment of Environmental Authorisation

**1. Application Details**

Name of person to whom the environmental authorisation was issued:	<b>South Africa Mainstream Renewable Power Noupoot (Pty) Ltd</b>		
Contact person:	<b>Hendrik Reyneke</b>		
Postal address:	<b>PO Box 45063</b>		
	<b>CLAREMONT</b>		
	<b>7735</b>		
Telephone:	<b>021 657 4040</b>	Cell:	<b>083 264 3884</b>
E-mail:	<b>Hendrik.reyneke@mainstreamrp.com</b>	Fax:	<b>021 671 5665</b>
Environmental Assessment Practitioner (EAP):	<b>SiVEST Environmental Division</b>		
Contact person:	<b>Shaun Taylor</b>		
Postal address:	<b>PO Box 2921, Rivonia</b>		
	<b>Postal code:</b>		<b>2128</b>
Telephone:	<b>011 798 0691</b>	Cell:	<b>072 779 4899</b>
E-mail:	<b>shaunt@sivest.co.za</b>	Fax:	<b>011 803 7272</b>
EAP Qualifications:	<b>MSc (Aquatic Health)</b>		
EAP Registrations/Associations:	<b>None</b>		
Name of landowner if the person to whom the environmental authorisation has been issued is not the owner:	<b>Groenkloof Trust</b>		
Contact person:	<b>Jurie Lessing</b>		
Postal address:	<b>PO Box 52</b>		
	<b>Noupoot</b>		
	<b>5950</b>		
Telephone:	<b>049 843 1710</b>	Cell:	<b>082 631 5893 or 082 695 9316</b>

Application for Amendment of Environmental Authorisation

E-mail:	None	Fax:	049 843 1710
Name of landowner if the person to whom the environmental authorisation has been issued is not the owner:	DGS Lessing Family Trust		
Contact person:	Michiel Lessing		
Postal address:	PO Box 47 MIDDELBURG 5900		
Telephone:	049 842 4333	Cell:	082 578 3666
E-mail:	michiel@karoوناتal.co.za	Fax:	049 842 2570
Name of landowner if the person to whom the environmental authorisation has been issued is not the owner:	Siphila Ngokuzenzela Farming CC		
Contact person:	June Stofile		
Postal address:	PO Box 566 NOUPOORT Postal code: 5950		
Telephone:	None	Cell:	079 716 3064
E-mail:	None	Fax:	None
	In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this page, together with copies of the notices given to these landowners about the amendment application.		
Project Description:	Proposed Establishment of a Wind Farm Facility near Noupoot, Northern Cape Province		
Farm name, Erf No., portion etc:	Remainder of the Farm No.168, Colesberg, Noord Kaap, 0210000000016800000 Portion 1 of the Farm No. 181, Colesberg Noord Kaap, 0210000000018100001 Portion 21 of the Farm No. 182, Colesberg Road, Noord Kaap Harmonie, 0210000000018200021		

Application for Amendment of Environmental Authorisation

Physical address where authorised activity is taking or will take place:	Remainder of the Farm No.168, Colesberg, Noord Kaap, 02100000000016800000 Portion 1 of the Farm No. 181, Colesberg Noord Kaap, 02100000000018100001 Portion 21 of the Farm No. 182, Colesberg Road, Noord Kaap Harmonie, 02100000000018200021
Magisterial District or Town:	Umsobomvu Local Municipality
Departmental reference number of the previous environmental authorisation in respect of which an amendment is applied for:	NEAS Reference: DEA/EIA/0000382/2011 DEA Reference: 12/12/20/2319
Date of issue of environmental authorisation:	29 October 2012
Activity/ies for which authorisation was granted:	Government Notice R544: Activity 10, 22, , , 39 Government Notice R545: Activity 1, 15 Government Notice R546: Activity 13
<b>Please Note: A certified copy of the environmental authorisation must be attached to this application.</b>	

**2. DETAILS OF IMPLEMENTATION OF PREVIOUS ENVIRONMENTAL AUTHORISATION**

Was the activity commenced with during the validity period of the environmental authorisation? If yes, please describe the implementation of the previous environmental authorisation to date:	NO
N/a	

**3. AMENDMENTS APPLIED FOR AND RELATED INFORMATION**

Please indicate which of the following is relevant:

3.1. The holder of an environmental authorisation may at any time apply to the relevant competent authority for the amendment of the authorisation if:

(a) there is a material change in the circumstances which existed at the time of the granting of the environmental authorisation;	NO
(b) there has been a change of ownership in the property and transfer of rights and obligations must be provided for; or	NO
(c) any detail contained in the environmental authorisation must be amended, added, substituted, corrected, removed or updated.	YES

3.2. Describe the amendments that are being applied for:

Application for Amendment of Environmental Authorisation

The authorised Listed Activity on Page No. 4 of the EA is incorrect. The Listed Activity that was authorised in the EA was GN R546, Activity 39, to which there is no listed activity in terms of the EIA Regulations, 2010. The Listed Activity should be changed to GN R544, Activity No. 39 as stipulated in Listing Notice 1 of the EIA Regulations, June 2010.

3.3. Please provide the reasons and/or a motivation for the application for amendment:

The Activity that was authorised in Page No.4 of the EA which refers to GN R546, Activity 39 is incorrect and needs to be amended to GN R544, Activity 39.

3.4. Should the amendment being requested result due to 3.1 (b) above, you are requested to furnish the Department with a written undertaking that the new holder of the environmental authorisation is willing and able to assume responsibility of the environmental authorisation issued. Provide a short motivation and explanation below:

N/a

#### 4. ENVIRONMENTAL IMPACTS

4.1. Describe any negative environmental impacts that may occur if the application for amendment is granted, amongst others information on any increases in air emissions, waste generation, discharges to water and impacts of the natural or cultural environment must be included.

All impacts associated with the proposed development were assessed as a whole in the submitted Final Environmental Impact Report. Amending the EA by means of correcting the Listed Activity that was authorised will not result in any additional impacts on the environment. This is therefore, not applicable.

4.2. Describe any negative environmental impacts that may occur if the application for amendment is **not** granted.

Not applicable. As per 4.1 above.

4.3. Describe any positive environmental impacts that may occur if the application for amendment is granted, amongst others information on any reduction in the ecological footprint, air emissions, waste generation and discharges to water must be included.

Not applicable. As per 4.1 above.

#### 5. AUTHORISATION FROM OTHER GOVERNMENT DEPARTMENTS

5.1. Are any permission, licenses or other authorisations required from any other departments before the requested amendments can be effected?

NO

If yes, please complete the table below.

Name of department and contact person	Authorisation required	Authorisation applied for (Yes/ No)
Not applicable	Not applicable	N/A

**6. RIGHTS OR INTERESTS OF OTHER PARTIES**

In your opinion, will this proposed amendment adversely affect the rights and interests of other parties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO
<b>Amending the EA by means of correcting the the Listed Activity of the environmental authorisation will not result in any adverse effect on the rights and interests of other parties.</b>			



Application for Amendment of Environmental Authorisation

**NOTE: The Department is entitled to request further information if it believes it is necessary for the consideration of the application. If the application is for a substantive amendment or if the rights or interests of other parties are likely to be adversely affected, the Department will instruct the applicant to conduct a public participation process and to conduct any investigations and assessments that it deems necessary.**

**7. DECLARATION:**

I, Hendrik J Reyneke, declare that I will comply with all my legal obligations in terms of this application and provide accurate information to everyone concerned in respect to this application.

Signature of the applicant:



Name of company or organisation: South Africa Mainstream Renewable Power Noupoort (Pty) Ltd

Date: 3 February 2014



**Appendix A**  
**Proof of notification of lodging the amendment**  
**application form to the provincial**  
**environmental department**

## Shonisani Selahle

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**From:** Shonisani Selahle  
**Sent:** 14 February 2014 08:30 AM  
**To:** 'kmlambo@ncpg.gov.za'  
**Cc:** Shaun Taylor  
**Subject:** Minor Amendments to the Environmental Authorisation for the Proposed Construction of a 188.6MW Wind Farm Facility near Noupoort, Northern Cape Province  
**Attachments:** Scanned Noupoort EA Amendement\_ Provincial Authority.pdf

Tracking:	Recipient	Delivery
	'kmlambo@ncpg.gov.za' Shaun Taylor	Delivered: 2014/02/14 08:31 AM

Dear Mrs Botes

Minor Amendments to the Environmental Authorisation for the Proposed Construction of a 188.6MW Wind Farm Facility near Noupoort, Northern Cape Province of South Africa.

Kindly note that an additional amendment application for the environmental authorization issued on the 29<sup>th</sup> October 2012 (attached) is to be submitted to the Department of Environmental Affairs (DEA) for the proposed development of a 188.6MW Wind Energy Facility near Noupoort, Northern Cape Province (DEA Ref: 12/12/20/2319; NEAS Ref: DEA/EIA/0000382/2011). The attached amendment application form outlines the need and reasons for lodging the application to the DEA.

Should you have any questions or queries, please don't hesitate to contact Shaun Taylor on the below contacts.

Shaun Taylor  
011 798 0691  
[shaunt@sivest.co.za](mailto:shaunt@sivest.co.za)  
MSc (Aquatic Health)  
Environmental Scientist

I trust you will find the above in order.

Many thanks

Kind Regards

**Shonisani Selahle**  
Environmental Consultant  
**SiVEST Environmental Division**



*SiVEST is a Level 3 BBBEE Contributor*

direct +27 11 798 0639 tel +27 11 798 0600 fax +27 11 803 7272 cell +27 79 614 8298  
email [shonisani@sivest.co.za](mailto:shonisani@sivest.co.za) website [www.sivest.co.za](http://www.sivest.co.za)



**Consulting Engineers · Project Managers · Environmental Consultants · Town and Regional Planners**  
Durban · Johannesburg · Pietermaritzburg · Richards Bay · Ladysmith · Cape Town · Harare (Zimbabwe)



**Appendix B**  
**Notices to Landowners informing of the**  
**Submission of an Environmental Authorisation**  
**Amendment Application**

## Shonisani Selahle

---

**From:** Shonisani Selahle  
**Sent:** 13 February 2014 03:02 PM  
**To:** jurie@adsactive.com; michiel@karoonatal.co.za  
**Cc:** Shaun Taylor  
**Subject:** 10777: Noupoot EA Amendment Application To DEA  
**Attachments:** Scanned Noupoot EA Amendment\_ Landowner.pdf

Tracking:	Recipient	Delivery
	jurie@adsactive.com	
	michiel@karoonatal.co.za	
	Shaun Taylor	Delivered: 2014/02/13 03:02 PM

Dear Mr. Lessing

Additional Amendments to the Environmental Authorisation for the Proposed Construction of a 188.6MW Wind Farm Facility near Noupoot, Northern Cape Province of South Africa.

Kindly note that an additional amendment application for the environmental authorization issued on the 29<sup>th</sup> October 2012 (attached) is to be submitted to the Department of Environmental Affairs (DEA) for the proposed development of a 188.6MW Wind Energy Facility near Noupoot, Northern Cape Province (DEA Ref: 12/12/20/2319; NEAS Ref: DEA/EIA/0000382/2011). The attached amendment application form outlines the need and reasons for lodging the application to the DEA.

Should you have any questions or queries, please don't hesitate to contact:

Shaun Taylor  
[shaunt@sivest.co.za](mailto:shaunt@sivest.co.za)  
011 798 0691  
MSc (Aquatic Health)  
Environmental Scientist

We trust you will find the above in order.

Many thanks

Kind Regards

**Shonisani Selahle**  
Environmental Consultant  
**SiVEST Environmental Division**



*SiVEST is a Level 3 BBBEE Contributor*

direct +27 11 798 0639 tel +27 11 798 0600 fax +27 11 803 7272 cell +27 79 614 8298  
email [shonisanis@sivest.co.za](mailto:shonisanis@sivest.co.za) website [www.sivest.co.za](http://www.sivest.co.za)



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Durban · Johannesburg · Pietermaritzburg · Richards Bay · Ladysmith · Cape Town · Harare (Zimbabwe)

**SiVEST**  
**Environmental**  
**Division**

51 Wessel Road  
PO Box 2921  
Rivonia  
2128 South Africa

Phone + 27 11 798 0600  
Fax + 27 11 803 7272  
Email info@sivest.co.za  
www.sivest.co.za

**SiVEST**



Jurie Lessing  
PO Box 52  
**NOUPOORT**  
5950

Your reference: N/a  
Our reference: 10777  
Date: 13/02/2014

**ATTENTION: MR. LESSING**

Via fax

Dear Mr. Lessing

**ADDITIONAL AMENDMENTS TO THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF A 188.6MW WIND FARM FACILITY NEAR NOUPOORT, NORTHERN CAPE PROVINCE OF SOUTH AFRICA**

Kindly note that an additional amendment application for the environmental authorization issued on the 29<sup>th</sup> October 2012 (attached) is to be submitted to the Department of Environmental Affairs (DEA) for the proposed development of a 188.6MW Wind Energy Facility near Noupoort, Northern Cape Province (DEA Ref: 12/12/20/2319; NEAS Ref: DEA/EIA/0000382/2011). The attached amendment application form outlines the need and reasons for lodging the application to the DEA.

Should you have any questions or queries, please don't hesitate to contact me.

Yours faithfully

Shaun Taylor  
Environmental Scientist  
**SiVEST Environmental Division**

encl: Application for Amendment to Environmental Authorisation

Divisional Director M J Wright (Managing)  
Divisional Manager J A Barnard  
A Division of SiVEST Directors S D Leach (Chairman), M J Wright (Managing), S G Joubert, M J Meikle-Braes, W A Pearce,  
H G D Regnaud, G R Sims, K P Smith, K Soni, G G Visser, A W Wewege  
Offices: South Africa Durban, Johannesburg, Ladysmith, Pietermaritzburg, Richards Bay, Cape Town. Africa Harare (Zimbabwe).

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SiVEST SA (Pty) Ltd Registration No. 2000/006717/07 Va SiVEST



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**YEARS**  
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**SIVEST**  
**Environmental**  
**Division**

51 Wesel Road  
 PO Box 2921  
 Roosendaal  
 2126 South Africa

Phone : + 27 11 796 0600  
 Fax : + 27 11 803 7217  
 Email : info@sivest.co.za  
 www.sivest.co.za



June Lessing  
 PO Box 52  
 NOUPOORT  
 5950

Your reference: N/a  
 Our reference: 10777  
 Date: 13/02/2014

**ATTENTION: MR. LESSING**

Via fax

Dear Mr. Lessing

**ADDITIONAL AMENDMENTS TO THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF A 188.6MW WIND FARM FACILITY NEAR NOUPOORT, NORTHERN CAPE PROVINCE OF SOUTH AFRICA**

Kindly note that an additional amendment application for the environmental authorization issued on the 29<sup>th</sup> October 2012 (attached) is to be submitted to the Department of Environmental Affairs (DEA) for the proposed development of a 188.6MW Wind Energy Facility near Noupoort, Northern Cape Province (DEA Ref: 12/12/20/2310, NEAS Ref: DEA/EIA/0000382/2011). The attached amendment application form outlines the need and reasons for lodging the application to the DEA.

Should you have any questions or queries, please don't hesitate to contact me.

Yours faithfully

Shaun Taylor  
 Environmental Scientist  
**SIVEST Environmental Division**

encl: Application for Amendment to Environmental Authorisation

Divisional Director: M J Wright (Managing)  
 Divisional Manager: A. Fennell  
 A Division of SIVEST: Directors: S D Louw (Durban), M J Wright (Managing), G G Joubert, M J Mookim-Groen, W A Pistorius  
 H G Dilliguard, G R Sims, N P Esterhuysen, K Smit, G G Venter, A W Wessels  
 Offices: South Africa: Durban, Johannesburg, Ladysmith, Pietermaritzburg, Richards Bay, Cape Town, Africa House (Zimbabwe)  
 Part of the SIVEST Group

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**Abbreviations:**

HS: Host send	PL: Polled local	MP: Mailbox print	CP: Completed	TS: Terminated by system
HR: Host receive	PR: Polled remote	RP: Report	FA: Fail	G3: Group 3
WS: Waiting send	MS: Mailbox save	FF: Fax Forward	TU: Terminated by user	EC: Error Correct

**SIVEST**  
**Environmental**  
**Division**

51 Wessel Road  
PO Box 2921  
Rivonia  
2128 South Africa

Phone + 27 11 798 0600  
Fax + 27 11 803 7272  
Email info@sivest.co.za  
www.sivest.co.za

**SIVEST**



Siphila Ngokuzenzela Farming CC  
PO Box 566  
**NOUPOORT**  
5950

Your reference: N/a  
Our reference: 10777  
Date: 14/02/2014

**ATTENTION: MR. NGOKUZENZELA**

Via post

Dear Mr. Ngokuzenzela

**ADDITIONAL AMENDMENTS TO THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF A 188.6MW WIND FARM FACILITY NEAR NOUPOORT, NORTHERN CAPE PROVINCE OF SOUTH AFRICA**

Kindly note that an additional amendment application for the environmental authorization issued on the 29<sup>th</sup> October 2012 (attached) is to be submitted to the Department of Environmental Affairs (DEA) for the proposed development of a 188.6MW Wind Energy Facility near Noupoort, Northern Cape Province (DEA Ref: 12/12/20/2319; NEAS Ref: DEA/EIA/0000382/2011). The attached updated amendment application form outlines the need and reasons for lodging the application to the DEA.

Should you have any questions or queries, please don't hesitate to contact me.

Yours faithfully

Shaun Taylor  
Environmental Scientist  
**SIVEST Environmental Division**

encl: Application for Amendment to Environmental Authorisation

Divisional Director M J Wright (Managing)  
Divisional Manager J A Barnard  
A Division of SIVEST Directors S D Leach (Chairman), M J Wright (Managing), S G Joubert, M J Meikle-Braes, W A Pearce,  
H G D Regnaud, G R Sims, K P Smith, K Soni, G G Visser, A W Wewege  
Offices: South Africa Durban, Johannesburg, Ladysmith, Pietermaritzburg, Richards Bay, Cape Town. Africa Harare (Zimbabwe).

Part of the SIVEST Group

SIVEST SA (Pty) Ltd Registration No. 2000/006717/07 t/a SIVEST



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**60**  
**YEARS**  
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Trace and Track Parcel (CD)		10777
Registered Letter <del>XX</del>		
Addressed To:	Post Office Stamp:	
Mr NAKUZENZELA		
SIPHILA NAKUZENZELA LAE		
P.O. Box 566		
NOUPOORT		
5950		
	Tracking Number:	
	<b>REGISTERED LETTER</b> <small>(with a domestic insurance option)</small> <small>ShareCall 0860 111 502 www.sapo.co.za</small> <b>RD 600 061 173 ZA</b> <small>CUSTOMER COPY 301028R</small>	

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Registered Letter	
Addressed To:	Post Office Stamp:
	Tracking Number:



**Appendix C**  
**Certified Copy of Environmental Authorisation**



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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

NEAS Reference: DEA/EIA/0000382/2011

DEA Reference: 12/12/20/2319

Enquiries: Ms Thulisile Portia Nyalunga

Telephone: 012-310-3249 Fax: 012-320-7539 E-mail: Tnyalunga@environment.gov.za

Ms Lella Mahomed-Weideman  
Mainstream Renewable Power South Africa (Pty) Ltd  
P.O. Box 45063  
**CLAREMONT**  
7735

Fax no: 021 671 5665

**PER FACSIMILE / MAIL**

Dear Ms Mahomed-Weideman

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R.543, 544, 545 AND 546: CONSTRUCTION OF A 188.6MW WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE AT NOUPOORT WITHIN THE UMSOBOMVU LOCAL MUNICIPALITY, NORTHERN 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 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,  
Pretoria, 0001; or  
By hand: 2nd Floor, Federa Building, North Tower,  
Cnr. Lillian Ngoyi (Van der Walt) and Pretorius Streets,  
Pretoria.

I hereby certify that this is an exact reproduction of the original and that there is no indication that the original has been altered by an unauthorized person.

  
COMMISSIONER OATHS  
Elizabeth Enslé Bronner 9/1/8/2 Durban  
4 Pencarrow Crescent, La Lucia Ridge  
P O Box 1899, Umhlanga Rocks, 4320  
Tel: 031 581 1626 / Fax: 031 566 2371

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: Integrated Environmental Authorisations*) 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:**

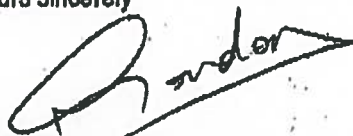
Mr T Zwane, Senior Legal Administration Officer (Appeals), of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: [tzwane@environment.gov.za](mailto:tzwane@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 Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Date: 29 October 2012**

CC:	Ms K Turker	SiVest Environmental Division	Tel: 011 798 0637	Fax: 011 803 7272
	Mrs E Botes	DEA&NC	Tel: 053 807 7300	Fax: 053 807 7328
	Mr A Mpela	Umsobovu Local Municipality	Tel: 051 753 0777	Fax: 051 753 0574
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7661
	Mr S Malaza	Compliance Monitoring (DEA)	Tel: 012-310-3397	Fax: 012-320-5744

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**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)**


<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
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"> <li>a notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> <li>a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
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.

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**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation


In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

**Mainstream Renewable Power South Africa (Pty) Ltd 188.6 MW Wind Energy Facility and its associated infrastructure near Noupoort, Northern Cape Province**

**Pixley Ka Seme District Municipality**

<b>Authorisation register number:</b>	<i>12/12/20/2319</i>
<b>NEAS reference number:</b>	<i>DEA/EIA/0000382/2011</i>
<b>Last amended:</b>	<i>First Issue</i>
<b>Holder of authorisation:</b>	<i>Mainstream Renewable Power South Africa (Pty) Ltd</i>
<b>Location of activity:</b>	<i>NORTHERN CAPE PROVINCE: Within the Umsobovu 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 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 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

### **MAINSTREAM RENEWABLE POWER SOUTH AFRICA (PTY) LTD**

with the following contact details –

Ms Leila Mahomed-Weideman  
Mainstream Renewable Power South Africa (Pty) Ltd  
P.O. Box 45063  
**CLAREMONT**  
7735

Tel: (021) 857 4040

Fax: 021 671 5665

Cell: (083) 789 2923

E-mail: [Leila.Mahomed-Weideman@mainstreamrp.com](mailto:Leila.Mahomed-Weideman@mainstreamrp.com)

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NEAS Authorisation No. DE/EA/0000382/2011

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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 and 3 (GN R.544, 545 & 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10:</u> The construction 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.</p>	<p>The proposed development intends to construct either a 66kv or 132kv (this will depend on Eskom) power line that will extend from the proposed development site outside an urban area to an existing Eskom connection power line or directly to the Newport Substation.</p>
<p><u>GN R. 544 Item 22:</u> The construction of a road, outside urban areas, (ii) where no reserve exists where the road is wider than 8 metres.</p>	<p>The proposed development intends to develop gravel roads that will measure 6 to 10m in width.</p>
<p><u>GN R. 545 Item 1:</u> The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more.</p>	<p>The proposed development intends to construct a wind farm with a maximum total generation output capacity of 188.6 MW.</p>
<p><u>GN R. 545 Item 15:</u> Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more. except where such physical alteration takes place for: (i) linear development activities; or (ii) agriculture or afforestation where activity 16 in this Schedule will apply.</p>	<p>The proposed development site is predominantly vacant. The proposed development area will occupy a total footprint of approximately 1 873 hectares.</p>
<p><u>GN R. 546 Item 13:</u> The clearance of an area of 1 hectare or more of vegetation where 75 % or more of the vegetation cover constitutes indigenous vegetation. (c) In Northern Cape (ii) Outside urban Areas</p>	<p>The proposed development area will occupy a total footprint of approximately 1 873 hectares. A significant proportion of this will need to be cleared of vegetation during construction.</p>



  
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<p><u>GN R. 546 Item 39:</u></p> <p><i>The expansion of (iii) Bridges within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an increased development footprint but excluding where such expansion will occur behind the development setback line.</i></p>	<p>The proposed development intends to upgrade a bridge on the Oorlogspoort road leading to the site which is located over a watercourse to accommodate the axle loads of the heavy trucks that will be required to deliver the components of the wind turbines.</p>
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As described in the Environmental Impact Assessment Report (EIAR) dated April 2012 on the following farm portions:

- Remainder of the Farm No. 168, Colesberg, Noord Kaap (4 745.82 ha);
- Portion 1 of the Farm No. 181, Colesberg, Noord Kaap (1 469.99 ha); and
- Portion 21 of the Farm No. 182, Colesberg Road, Noord Kaap Harmonie (1 276.80 ha).


- for the construction of a 188.6 MW Wind Energy Facility (WEF) and its associated infrastructure 1 873 hectares (ha) near Noupoort within the Umsobovu Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The associated infrastructure for the proposed WEF includes:

- Up to 82 wind turbines with a total generation capacity of 188.6 MW of energy, utilising turbines with a range of 1 to 3 MW generation capacity;
- Each turbine will have a hub height of between 80 to 120 m, and a rotor diameter of 87 to 120 m, the rotation will range from 6 to 20 rpm;
- A turbine foundation footprint of 20 x 20 m (400 m<sup>2</sup>) per turbine, the foundations will be 2.5 m deep;
- Temporary hard standing area of approximately 2 400 m<sup>2</sup> for crane usage per turbine;
- Medium voltage cables of up to 1 m deep connecting all turbines to the substation;
- One new substation with transformers of up to 132kV, with high voltage (HV) yard footprints of approximately 90 m x 120 m (10 800 m<sup>2</sup>);
- Internal access roads up to 8 to 10 m wide;
- A maximum of 10 000 m<sup>2</sup> temporary lay down area including an access road and a contractor's site office area of up to 5000 m<sup>2</sup>;

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- Administration and warehouse buildings with a footprint of 5 000 m<sup>2</sup>; and
- Fencing, linking station and borrow pits if required.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction of the Mainstream Renewable Power South Africa (Pty) Ltd 188.6 MW Wind Energy Facility with the following components is hereby approved:
  - 1.1 Sub-station Location Alternative 1;
  - 1.2 Site Access Alternative 1;
  - 1.3 Lay-down Area Alternative 1;
  - 1.4 Operation and Maintenance Building Alternative 1; and
  - 1.5 Grid Access Southern Alternative 1 and Grid Access Northern Alternative 1 and 2 for the proposed overhead power line linking to the preferred wind farm sub-station (Sub-station Location Alternative 1. Once Eskom Holdings SOC Limited confirms the connection route and capacity, the revised environmental layout map must be submitted to this Department for approval,
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 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 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.
6. 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

  
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new application for environmental authorisation must be made in order for the activity to be undertaken.

7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. 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 and right to appeal**

9. 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.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. Inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment (EIA) Regulations, 2010;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons for the decision.
11. The holder of the authorisation must publish a notice –
  - 11.1. Informing interested and affected parties of the decision;
  - 11.2. informing interested and affected parties where the decision can be accessed; and
  - 11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

#### **Management of the activity**

12. The preferred Site Layout Map submitted as part of the application for environmental authorisation must be amended and submitted with the amended EMP to the Department for written approval prior to commencement of the activity. All available biodiversity information

  
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must be used in the finalisation of the layout map. The amended site layout map must indicate the following:

- 12.1. Labelled/Numbered turbine positions;
  - 12.2. Foundation footprint;
  - 12.3. Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
  - 12.4. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
  - 12.5. The location of sensitive environmental features e.g. heritage sites and wetlands;
  - 12.6. Sub-station(s) and/or transformer(s) sites including their entire footprint;
  - 12.7. Connection routes (including pylon positions) to the distribution/transmission network;
  - 12.8. All existing infrastructure on the site, especially roads;
  - 12.9. Buildings including accommodation;
  - 12.10. All "no-go" and buffer areas; and
  - 12.11. A map combining the final layout map superimposed on the environmental sensitivity map.  
This map must reflect the proposed location of turbines as stated in the EIAR dated April 2012 and this authorisation.
13. The Environmental Management Programme (EMPr) submitted as part of the EIAR must be amended and submitted with the abovementioned layout map to the Department for written approval prior to commencement of the activity.
  14. The amended EMPr must also include the following:
    - 14.1. All recommendations and mitigation measures recorded in the EIAR dated April 2012.
    - 14.2. The requirements and conditions of this authorisation.
    - 14.3. 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.
    - 14.4. An open space management plan to be implemented during the construction and operation of the facility.
    - 14.5. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility including timeframes for restoration which must indicate rehabilitation within the shortest possible time after completion of construction activities to

  
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- reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- 14.6. 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.
  - 14.7. 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.
  - 14.8. 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.
  - 14.9. 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.
  - 14.10. A transportation plan for the transport of turbine components, main assembly cranes and other large pieces of equipment. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites.
  - 14.11. 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 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 existing retail and commercial operations.
  - 14.12. 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.
  - 14.13. 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.

  
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- 14.14. An environmental sensitivity map indicating environmental sensitive areas and features, and buffer areas identified during the EIA process.
15. 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.
16. Changes to the EMPr, which are environmentally defensible, shall be submitted to this Department for acceptance before such changes could be effected.
17. The Department reserves the right to request amendments to the EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.
18. The provisions of the approved EMPr including the mitigation measures identified in the EIAR and specialists' studies shall be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.
19. The holder of this authorisation must appoint qualified botanical, fauna 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.

#### **Environmental Control Officer (ECO) and duties**

20. The holder of this authorisation must appoint an independent Environmental Control Officer (ECO) with experience or expertise in the field for the construction phase of the development. The ECO will have the responsibility to ensure that the conditions referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.
21. The ECO must be appointed before commencement of any authorised activity.
22. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
23. 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.
24. The ECO must:
  - 24.1. Keep record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
  - 24.2. Keep and maintain a detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register 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.

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- 24.3. Keep and maintain a daily site diary.
- 24.4. Keep copies of all reports submitted to the Department.
- 24.5. Keep and maintain a schedule of current site activities including the monitoring of such activities.
- 24.6. Obtain and keep record of all documentation, permits, licences and authorisations such as waste disposal certificates, hazardous waste landfill site licences etc. required by this facility.
- 24.7. Compile a monthly monitoring report.

#### **Recording and reporting to the Department**

25. The holder of this authorisation must keep all records relating to monitoring and auditing on site and make it available for inspection to any relevant and competent authority in respect of this development.
26. 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.

#### **Environmental audit report**

27. 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.
28. The environmental audit report must:
  - 28.1. Be compiled by an independent environmental auditor;
  - 28.2. Indicate the date of the audit, the name of the auditor and the outcome of the audit;
  - 28.3. Evaluate compliance with the requirements of the approved EMP and this environmental authorisation;
  - 28.4. Include measures to be implemented to attend to any non-compliances or degradation noted;
  - 28.5. Include copies of any approvals granted by other authorities relevant to the development for the reporting period;
  - 28.6. Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed;

  
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- 28.7. Include a copy of this authorisation and the approved EMPr;
- 28.8. Include all documentation such as waste disposal certificates, hazardous waste landfill site licences etc. pertaining to this authorisation; and
- 28.9. Include evidence of adherence to the conditions of this authorisation and the EMPr where relevant such as training records and attendance records.

#### **Commencement of the activity**

29. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
30. 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.
31. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.
32. The holder of this authorisation must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the holder impact on any wetland or water resource. A copy of the license must be kept by the ECO.

#### **Notification to authorities**

33. 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 Notice of Intent to Appeal period, within which construction may not commence.

#### **Operation of the activity**

34. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.




35. The holder of this authorisation must compile an operational EMP for the operational phase of the activity or alternatively, if the holder has an existing operational environmental management system, it must be amended to include the operation of the authorised activity.

#### Site closure and decommissioning

36. Should the activity ever cease or become redundant, the applicant shall 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.

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#### Specific conditions

  
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#### Avifauna and Bats Monitoring

37. A bird and bat monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna and bats. This must commence prior to construction for a minimum period of 12 months, and continue during operation of the energy facility.
38. The findings/recommendations of the pre-construction bird monitoring programme must inform the final layout map and the construction schedule of the energy facility.
39. Reports regarding bird monitoring must be submitted to the relevant provincial environmental department, BirdLife South Africa, the Endangered Wildlife Trust (EWT) and this Department on a quarterly basis. 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.
40. The baseline data collected and documented during the survey must be shared with the EWT and Birdlife South Africa for a better understanding of the distribution or breeding behaviour of any of the priority species.
41. The applicant must ensure that lighting on the turbines is kept to a minimum and is coloured (red or green) and intermittent, rather than permanent and white, to reduce confusion effects for nocturnal migrants.
42. The facility must be designed to discourage the use of infrastructure components as perching or roosting substrates by birds and bats.
43. A 500m exclusion zone must be implemented around the existing Blue Crane breeding pair where no construction activity must take place. No construction activities must take place within a 1km



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NEAS Authorisation No. DEA/EIA/0000382/2011

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line of sight around the nest during the sensitive part of the breeding cycle i.e. October to December.

44. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g. grasslands, rivers, wetlands, and dams). 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. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitting of anti-collision devices. These devices must be according to Eskom's Transmission and EWT's Guidelines.

#### Vegetation, wetlands and water resources

45. Vegetation clearing must be limited to the authorised footprint.
46. 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 for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
47. Construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
48. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the rehabilitation plan to be included in the final EMP.
49. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
50. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
51. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs.
52. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
53. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
54. The holder of this authorisation must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.

  
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55. Contractors and construction workers must be clearly informed of the no-go areas.
56. Siting of turbines shall adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
57. Where roads pass right next to major water bodies provision shall be made for fauna such as toads to pass under the roads by using culverts or similar structures.
58. Bridge design must be such that it minimise impact to riparian areas with minimal alterations to water flow and must allow the movement of fauna and flora.

#### Roads and transportation

59. 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.
60. 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.
61. 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.
62. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
63. Signage must be erected at appropriate points warning of turning traffic and the construction site.
64. Construction vehicles carrying materials to the site should avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
65. Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

#### Noise

66. A monitoring programme must be implemented before the development of the WEF confirming the validity of the regression analysis of non-site specific data.
67. The ambient sound environment must be defined over a longer period as per the environmental management plan.

  
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68. Quarterly noise monitoring must be conducted by an acoustic consultant for the first year of operation. This monitoring must take place over a period of 24 hours in 10 minute bins, with the resulting data co-ordinated with wind speeds as measured at a 10 meter height.
69. Quarterly monitoring is recommended at NSD08 and NSD08 for the first year, as well as any other NSDs that have complained to the developer regarding noise originating from the facility.
70. Annual feedback regarding noise monitoring must be presented to all stakeholders and other Interested and Affected parties in the area. Noise monitoring must be continued as long as noise complaints are registered. The findings of this report must also be made available to all potentially noise-sensitive developments in the area, or the contents explained to them to ensure that they understand all the potential risks that the development of a wind energy facility may have on them and their families.
71. Positions of turbines jeopardizing compliance with accepted noise levels must be revised during the micro-siting of the units in question and predicted noise levels re-modelled by the noise specialist, in order to ensure that the predicted noise levels are less than 45dB(A).
72. Construction staff must be trained in actions to minimise noise impacts.
73. The holder of this authorisation must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and measures to limit noise from the work site are implemented.
74. The holder of this authorisation must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
75. The holder of this authorisation must ensure that all equipment and machinery are well maintained and equipped with silencers.
76. The holder of this authorisation must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
77. All noisy construction operations shall only occur during daylight hours.

#### Visual resources

78. The holder of this authorisation 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.
79. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.

  
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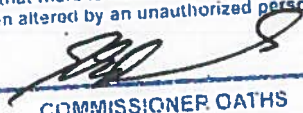
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80. Lighting of main structures (turbines) and ancillary buildings should be designed to minimise light pollution without compromising safety, and turbines must be lit according to Civil Aviation Regulations.
81. Signage on or near wind turbines must be avoided unless they serve to inform the public about wind turbines and their function.
82. Commercial messages and graffiti on turbines must be avoided.

#### Human health and safety

83. 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.
84. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
85. The holder of this authorisation must ensure that the operation of the wind facility shall comply with the relevant communication regulations or guidelines relating to electromagnetic interference, e.g. microwave, radio and television transmissions.
86. The holder of this authorisation 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, especially the radar, prior to commencement of the activity. The approval must be submitted to the Director: Environmental Impact Evaluation.
87. The holder of this authorisation must obtain approval from the South Africa Weather Services (WeatherSA) that the energy facility will not interfere with the performance of their equipment, especially radar, prior to commencement of the activity. A copy of the approval must be kept on site by the ECO.
88. The holder of this authorisation 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.
89. 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 should be scheduled to take place within the post-harvest and pre-planting season, when fields are lying fallow.
90. No unsupervised fires are allowed on site.

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**Hazardous materials and waste management**

91. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
92. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
93. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved waste landfill site licensed to accept such waste.
94. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
95. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
96. 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 350m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
97. Temporary bunds must be constructed around chemical storage to contain possible spills.
98. Spill kits must be made available on-site for the clean-up of spills.
99. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
100. Temporary ablution facilities must be provided for staff during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered waste water treatment plant, and must be removed from the site when the construction phase is completed.

**Excavation and blasting activities**

101. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.

102. 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.
103. Borrow materials must be obtained only from authorized and permitted sites. Permits must be kept on site by the ECO.
104. Anti-erosion measures such as silt fences must be installed in disturbed areas.


Air emissions

105. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
106. 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

107. The rock shelter must be demarcated with a buffer of at least 50m from the outer edge of the shelter, up to and including the river bank.
108. The farmsteads must be demarcated with a buffer of at least 10m from the outer edge of all structures and features such as gardens, orchards, etc.
109. Cemeteries must be demarcated by a buffer of at least 10m from the outer edge of the fence, or the last visible graves if there is no fence.
110. The stone walled structures must be demarcated by a buffer of at least 10m from the outer edge of the individual structures.
111. If any changes to the approved site layout of the turbines are proposed, 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..
112. If concentrations of archaeological heritage material, fossils and human remains are uncovered during construction, all work must cease immediately and be reported to the South African Heritage Resources Agency (SAHRA) (021 642 4502) so that a systematic and professional investigation/ excavation can be undertaken.

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113. Construction managers/foremen must be informed before construction starts on the possible types of heritage sites and cultural material they may be encountered and the procedures to follow when they find sites.

Turbines position

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

Overhead power line

115. 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.


116. The power line must be routed as far as possible from high risk areas that include the Blue Crane nest, agricultural lands, and dams.

**General**

117. A copy of this authorisation and the approved EMPr 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.

118. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* 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.

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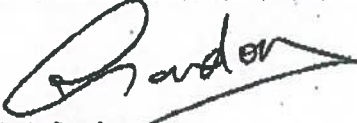
  
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119. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant 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.

Date of environmental authorisation: 29 October 2012



Mr Mark Gordon

Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs


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## Annexure 1: Reasons for Decision

  
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### 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 EIAR dated April 2012;
- b) The comments received from organs of state and interested and affected parties as included in the EIAR dated April 2012;
- c) Mitigation measures as proposed in the EIAR dated April 2012 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix 6C of the EIAR;
- e) Findings of the site visit conducted on 25 May 2012; and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

### 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, identified issues and recommended mitigation measures which were deemed to be acceptable.
- b) The need for the proposed project stems from the provision of electricity to the national grid in terms of the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP) and the provision of electricity from Independent Power Producers as required by the Department of Energy.
- c) The EIAR dated April 2012 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 EIAR dated April 2012 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 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 EIAR dated April 2012 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR 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.

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**Appendix D**  
**Letter from the Holder of the Environmental**  
**Authorisation**



**MAINSTREAM  
RENEWABLE POWER  
SOUTH AFRICA**

A joint venture with Genesis Eco-Energy

South Africa Mainstream Renewable Power  
Developments (Pty) Ltd  
PO Box 45063,  
Claremont 7735, South Africa.  
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Tel: +27 21 657 4040  
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[info-southafrica@mainstreamrp.com](mailto:info-southafrica@mainstreamrp.com)

13 February 2014

Ms. Thulisile Portia Nyalunga  
315 Pretorius Street  
PRETORIA  
0001

Dear Ms. Nyalunga

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE CONSTRUCTION OF A 188.6MW WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE AT NOUPOORT WITHIN THE UMSOBOMVU LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE**  
**NEAS REFERENCE: DEA/EIA/0000382/2011**  
**DEA REFERENCE: 12/12/20/2319**

With reference to the above application, please be advised that South Africa Mainstream Renewable Power Developments (Pty) Ltd and/or South Africa Mainstream Renewable Power Noupoort (Pty) Ltd (hereafter referred to as the, "holder of the environmental authorization") will be submitting an application for minor amendment for the environmental authorization dated 29 October 2012.

As such, the holder of the environmental authorization (EA) hereby declares that it will comply with all the conditions of the original EA for the above application. Additionally, the holder of the EA also declares that it has the financial resources, means and knowhow to implement the conditions of the EA.

Should you require any information with regards to the above, please don't hesitate to contact me at the details supplied herein.

We would kindly request that all future correspondence to be sent to:  
[South Africa Mainstream Renewable Power Noupoort \(Pty\) Ltd](#)  
PO Box 45063  
Claremont  
7735

Please do not hesitate to contact me with any questions. I appreciate your time on this matter.  
Regards,



Hein Reyneke PMP  
Project Manager : Noupoort Wind Farm

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