



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/550

Enquiries: Ms Thabile Sangweni

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

Mr Chris Bellingham  
Namies Wind Farm  
24<sup>th</sup> Floor Metropolitan Centre  
Foreshore  
CAPE TOWN  
8001

Telephone number: (021) 831 6130  
Email Address: bellingham@juwi.co.za

PER EMAIL / MAIL

Dear Mr Bellingham

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/545/546 FOR THE 140 MW NAMIES WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR AGGENEYS WITHIN THE KHAI MA LOCAL MUNICIPALITY IN THE 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.

Please note that GN R 546, Activity 12: *"The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation..."* is not authorised as part of this EA for the proposed development, as according to the Environmental Assessment Practitioner, this activity only applies for the alternative road layouts options (b) and (c). The preferred alternative, option (a) is authorised.

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

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

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

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

**Sakshna Singh**

Commissioner of Oaths  
Admitted Attorney (RSA)

20th Floor The Halyard  
4 Christiaan Barnard Street, Foreshore

Cape Town, 8001

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

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

**Appeals must be submitted in writing to:**

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

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

The authorised activities must not commence within twenty (20) days of the date of signature of the environmental authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

Yours faithfully



**Ms Milicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
Date: 18/04/2016.

cc:	Mr Dirk Pretorius	Aurecon South Africa (Pty) Ltd	Tel: (044) 805 5458	Email: Dirk.Pretorius@aurecongroup.com
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Handwritten notes and stamps at the bottom of the page, including a date stamp "18/04/2016" and a page number "2".

**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 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 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 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

The 140 MW Namies Wind Energy Facility and its associated infrastructure located approximately 27 km southeast of the town of Aggeneys in the Khai Ma Local Municipality, Northern Cape Province

### Namakwa District Municipality

Authorisation register number:	14/12/16/3/3/2/550
Last amended:	First issue
Holder of authorisation:	Namies Wind Farm
Location of activity:	Namies Suid (Remainder of Farm 212) Vogelstruis Hoek (Portion 1 of Farm 88) Aggeneys Khai Ma Local Municipality Namakwa District Municipality Northern Cape Province

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.

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## 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-

### **NAMIES WIND FARM**

(hereafter referred to as the holder of the authorisation)

with the following contact details –

Mr Chris Bellingham  
24<sup>th</sup> Floor Metropolitan Centre  
7 Walter Sisulu Avenue  
Foreshore  
**CAPE TOWN**  
8001

Telephone Number: (021) 831 6130  
Fax Number: (021) 831 6199  
Cell phone Number: (083) 443 5154  
E-mail Address: [bellingham@juwi.co.za](mailto:bellingham@juwi.co.za)

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

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10</u></p> <p><i>"The construction of facilities or infrastructure for the transmission and distribution of electricity -</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</i></p>	<p>A 220kV transmission line is proposed to evacuate electricity generated by the Namies WEF from the onsite substation to the Aggeneys Substation which forms part of the national grid. The proposed transmission line will be located in a rural area.</p>
<p><u>GN R. 544 Item 11:</u></p> <p><i>"The construction of:</i></p> <p><i>(xi) infrastructure or structures covering 50 square metres or more,</i></p> <p><i>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line."</i></p>	<p>Drainage lines are scattered across the proposed site and construction and operation roads will cross these lines. Each turbine footprint is in excess of 50m<sup>2</sup>, but a buffer zone of 50m from the nominal centre of the watercourse as identified by the Freshwater Impact Assessment and Botanical Impact Assessments has been incorporated into the revised turbine layouts and thus the turbines will not be located within 32m of a drainage line or watercourse.</p>
<p><u>GN R. 544 Item 18:</u></p> <p><i>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, grit, pebbles or rock of more than 5 cubic metres from:</i></p> <p><i>(i) a watercourse."</i></p>	<p>The filling or depositing of any material of more than 5m<sup>3</sup> into a watercourse will be triggered with the construction of internal service roads where these roads cross drainage lines or watercourses.</p>
<p><u>GN R. 544 Item 22:</u></p> <p><i>"The construction of a road, outside urban areas,</i></p> <p><i>(ii) where no reserve exists where the road is wider than 8 metres."</i></p>	<p>The construction of a road, outside urban areas where no reserve exists where the road is wider than 8m will commence for construction and operation roads. Although construction and operation roads are planned to be 7m wide for the</p>

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Listed activities	Activity/Project description
	most part, at certain road sections the verges might increase the actual width to over 8m and thus this activity is applied for.
<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>	The proposed WEF would have a generation capacity of 140 MW in total.
<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."</p>	Physical alteration of undeveloped land for industrial use where the total area to be transformed is 20ha or more. The extent of the area that will be physically altered is estimated at 62,5 ha.
<p><u>GN R. 546 Item 4:</u>                      "The construction of a road wider than 4 metres with a reserve less than 13,5 metres                      (a) In Northern Cape                      ii. Outside urban areas, in:                      (bb) National Protected Area Expansion Strategy Focus</p> <p style="text-align: center;"> <b>Sakshna Singh</b>                      Commissioner of Oaths                      Admitted Attorney (RSA)                      20th Floor The Halyard                      4 Christiaan Barnard Street, Foreshore                      Cape Town, 8001                 </p> <p style="text-align: center;"><b>CERTIFIED A TRUE COPY OF THE ORIGINAL</b></p>	The roads associated with the original layouts will trigger this activity because of the 7m wide construction and operation roads outside urban areas, in a CBA as identified in the Namakwa District Biodiversity Sector Plan, 2008. The new alternative layouts however do not trigger this activity due to mitigation by means of shifting the turbines out of sensitive areas identified by specialists. The infrastructure however still falls within National Protected Area Expansion Strategy (NPEAS) focus area and thus this activity remains applicable.
<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 vegetative cover constitutes indigenous vegetation                      (b) In Northern Cape:                      (bb) National Protected Area Expansion Strategy</p>	The clearance of an area of 62.5 ha of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. The proposed project falls within the NPEAS focus area and certain sections of the site constitute a CBA.

Listed activities	Activity/Project description
<p><i>Focus Areas."</i></p>	
<p><u>GN R. 546 Item 14:</u>  <i>"The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation</i>                      (a) <i>In Northern Cape:</i>                      i. <i>All areas outside urban areas."</i></p>	<p>The proposed project is located in a rural area and would result in the clearance of an area of 62.5ha of vegetation where 75% or more of the vegetation cover comprises indigenous vegetation.</p>
<p><u>GN R. 546 Item 16:</u>  <i>"The construction of:</i>                      (iv) <i>Infrastructure covering 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse</i>                      (a) <i>In Northern Cape:</i>                      (bb) <i>National Protected Area Expansion Strategy Focus Areas."</i></p>	<p>The infrastructure (including 7m wide access roads) associated with the turbine layouts will trigger this activity. The new roads (infrastructure) of 7m wide will see construction in watercourses of more than 10m<sup>2</sup> where these roads cross drainage lines within a CBA as identified in the Namakwa District Biodiversity Sector Olan, 2008.</p> <p>The new alternative layouts and associated infrastructure including 7m wide access road do however not trigger this activity due to shifting the turbines and associated infrastructure out of sensitive areas identified by specialists, thus avoiding the location of infrastructure in a CBA. The infrastructure however still falls within a NPEAS focus area and thus this activity remains applicable.</p>

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The following listed activities as described in GN R 983, GN R 984 and GN R 985:

Activity number	Activity description
<p><u>GN R. 983 Item 11.</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity-</i></p> <p><i>(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</i></p>	<p>A 220kV transmission line is proposed to evacuate electricity generated by the Namies WEF from the onsite substation to the Aggeneys substation which forms part of the national grid. The proposed transmission line will be located in a rural area.</p>
<p><u>GN R. 983 Item 12.</u></p> <p><i>"The development of –</i></p> <p><i>(xii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs –</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>Drainage lines are scattered across the proposed site and construction and operation roads will cross these lines. Each turbine footprint is in excess of 50m<sup>2</sup> but a buffer zone of 50m from the nominal centre of the watercourse as identified by the Freshwater Impact Assessment and Botanical Impact Assessments has been incorporated into the revised turbine layouts and thus the turbines will not be located within 32m of a drainage line or watercourse.</p>
<p><u>GN R. 983 Item 19.</u></p> <p><i>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells grit, pebbles or rock of more than 5 cubic metres from -</i></p> <p><i>(i) a watercourse."</i></p>	<p>The filling or depositing of any material of more than 5m<sup>3</sup> into a watercourse will be triggered with the construction of internal service roads where these roads cross drainage lines or watercourses.</p>
<p><u>GN R. 983 Item 24:</u></p> <p><i>"The development of –</i></p> <p><i>(ii) a road with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>The construction of a road, outside urban areas where no reserve exists where the road is wider than 8m will commence for construction and operation roads. Although construction and operation roads are planned to be 7m wide for the most part, at certain road sections the verges</p>

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	<p>might increase the actual width to over 8m and thus this activity is applied for.</p>
<p><u>GN R. 984 Item 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, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area."</i></p>	<p>The proposed WEF would have a generation capacity of 140 MW in total</p>
<p><u>GN R. 984 Item 15:</u>  <i>"The clearance of an area of 20 hectares or more of indigenous vegetation."</i></p>	<p>Physical alteration of undeveloped land for industrial use where the total area to be transformed is 20ha or more. The extent of the area that will be physically altered is estimated at 62,5 ha.</p>
<p><u>GN R. 985 Item 4:</u>  <i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres</i>          (a) <i>In Northern Cape</i>              ii. <i>Outside urban areas, in:</i>          (bb) <i>National Protected Area Expansion Strategy Focus</i></p> <p style="text-align: center;"> <b>Sakshna Singh</b>              Commissioner of Oaths              Admitted Attorney (RSA)              20th Floor The Halyard              4 Christiaan Barnard Street, Foreshore              Cape Town, 8001    <b>CERTIFIED A TRUE COPY OF THE ORIGINAL</b> </p>	<p>The roads associated with the original layouts will trigger this activity because of the 7m wide construction and operation roads outside urban areas, in a CBA as identified in the Namakwa District Biodiversity Sector Plan, 2008. The new alternative layouts however do not trigger this activity due to mitigation by means of shifting the turbines out of sensitive areas identified by specialists. The infrastructure however still falls within National Protected Area Expansion Strategy (NPEAS) focus area and thus this activity remains applicable.</p>
<p><u>GN R. 985 Item 14:</u>  <i>"The development of -</i>          (xii) <i>Infrastructure or structures with a physical footprint of 10 square metres or more</i>  <i>Where such development occurs -</i></p>	<p>The infrastructure (including 7m wide access roads) associated with the turbine layouts will trigger this activity. The new roads (infrastructure) of 7m wide will see construction in watercourses of</p>

<p>(c) <i>If no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>more than 10m<sup>2</sup> where these roads cross drainage lines within a CBA as identified in the Namakwa District Biodiversity Sector Olan, 2008.</p> <p>The new alternative layouts and associated infrastructure including 7m wide access road do however not trigger this activity due to shifting the turbines and associated infrastructure out of sensitive areas identified by specialists, thus avoiding the location of infrastructure in a CBA. The infrastructure however still falls within a NPEAS focus area and thus this activity remains applicable.</p>
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as described in the Environmental Impact Assessment Report (EIAr) dated September 2015 at:

**Site alternative**

Alternative (preferred site)	Latitude	Longitude
Namies WEF (centre point)	29° 21'12.58"S	19° 10'46.62"E
A	29° 18'39.83"S	19° 07'54.61"E
B	29° 18'59.08"S	19° 13'23.74"E
C	29° 23'00.72"S	19° 14'4.00"E
D	29° 23'29.05"S	19° 10'19.75"E
E	29° 24'17.91"S	19° 09'11.88"E
F	29° 22'49.48"S	19° 07'13.22"E
G	29° 18'48.52"S	19° 07'57.65"E

**On-site substation**

Alternative (preferred)	Latitude	Longitude
On site substation	29° 21'43.18"S	19° 10'01.05"E

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**Access roads**

Alternative (preferred)	Latitude	Longitude
Main access point off Loop 10 road	29° 25'47.15"S	19° 11'12.94"E

**Powerline**

Alternative (preferred)	Latitude	Longitude
220 kV (Start)	29° 21'43.18"S	19° 10'01.05"E
End	29° 17'48.88"S	18° 48'11.44"E

- for the 140 MW Namies Wind Energy Facility and its associated infrastructure on Namies Suid (Remainder of Farm 212) and Vogelstruis Hoek ( Portion 1 of Farm 88), located approximately 27 km southeast of the town of Aggeneys in the Khai Ma Local Municipality of the Namakwa District Municipality, Northern Cape Province, hereafter referred to as "the property".

4.1. The Namies Wind Energy Facility will comprise of the following:

- 44 wind turbines of up to 3.5 MW capacity each, with a maximum total installed generation capacity of 140 MW;
- Transmission line;
- Cabling between turbines;
- Foundations to support turbine towers;
- Hard standing to support cranes;
- Internal service and access roads;
- Stormwater infrastructure;
- Maintenance and storage building; and
- Fencing and gates.

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*[Signature]*

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Technical details for the proposed facility:

Component	Description/ Dimensions
Location of the site	~ 27 km southeast of the town of Aggeneys
Extent of the proposed development footprint	~ 62,5ha
SG Codes	C03600000000021200000 C05300000000008800001
Substation complex	One (1) on-site substation to facilitate the connection

	between the facility and the electricity grid (78m x 135m).
Power line (number and voltage)	A 220kV overhead transmission powerline feeding into Eskom's electricity grid.
Access road and width	Total of ~ 47km internal access roads of 7m wide
Export capacity	140MW
Number of Turbines	44

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction of the Namies Wind Energy Facility and its associated infrastructure with a maximum of 44 wind turbines with a total output capacity of 140 MW as described above is hereby approved. The two (2) turbines, i.e. turbines 21 and 39 in the moderate bat sensitive area are not authorised.
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 five (05) years from the date of issue of this 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.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.

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8. This authorisation does not negate the holder of the authorisations responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
9. The holder of an environmental authorisation must 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

10. 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.
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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
  - 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.
12. The holder of the authorisation must publish a notice –
  - 12.1. informing interested and affected parties of the decision;
  - 12.2. informing interested and affected parties where the decision can be accessed; and,
  - 12.3. 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

13. A copy of the final development layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:

- 13.1 Cable routes (where they are not along internal roads);

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- 13.2 Position of wind turbines and associated infrastructure;
  - 13.3 Internal roads indicating width;
  - 13.4 Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
  - 13.5 All sensitive features e.g. Critical Biodiversity Areas, National Protected Area Expansion Strategy areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage lines that will be affected by the facility and associated infrastructure;
  - 13.6 Substation(s) inverters and/or transformer(s) sites including their entire footprint;
  - 13.7 Connection routes (including pylon positions) to the distribution/transmission network;
  - 13.8 All existing infrastructure on the site, especially roads;
  - 13.9 Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
  - 13.10 Buildings, including accommodation; and,
  - 13.11 All "no-go" and buffer areas.
14. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

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Department of Environmental Affairs  
Private Bag X447  
Pretoria  
0001

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**Physical address:**

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

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

15. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
16. The EMPr amendment must include the following:
  - 16.1. The requirements and conditions of this authorisation.
  - 16.2. All recommendations and mitigation measures recorded in the EIAr.
  - 16.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
  - 16.4. The final site layout map.
  - 16.5. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
  - 16.6. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
  - 16.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
  - 16.8. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon hours and avoid



- using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
- 16.9. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
- 16.10. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
- 16.11. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- 16.12. A fire management plan to be implemented during the construction and operational phases.
- 16.13. 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.
- 16.14. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- 16.15. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAR and this authorisation.
17. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
18. Changes to the EMPr must be submitted to this Department for approval before such changes could be effected.
19. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.

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

20. The holder of this authorisation must appoint an independent and qualified Environmental Control Officer (ECO) with experience or expertise in undertaking ECO functions. The ECO will have the responsibility to ensure that the conditions referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved 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 this Department.
23. The ECO must meet with the contractors to discuss the conditions of the EA and the contents of the EMPr prior to any site clearing occurring.
24. 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.
25. Records relating to monitoring and auditing must be kept on site and made available for inspection to the competent authority in respect of this development.
26. The duties of the ECO must include the following:
  - 26.1. Keeping record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
  - 26.2. Keeping and maintaining 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.
  - 26.3. Keeping and maintaining a daily site diary.
  - 26.4. Keeping copies of all reports submitted to the Department.
  - 26.5. Keeping and maintaining a schedule of current site activities including the monitoring of such activities.
  - 26.6. Obtaining and keeping record of all documentation, permits, licences and authorisations such as waste disposal certificates, hazardous waste landfill site licences etc.
  - 26.7. Compiling a monthly monitoring report.
27. 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.

**Recording and reporting to the Department**

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28. 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 this Department.

#### Environmental audit report

29. The holder of the authorisation must submit an environmental audit report to the Director: Compliance Monitoring of 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.
30. The environmental audit report must:
- 30.1. Be compiled by an independent environmental auditor;
  - 30.2. Indicate the date of the audit, the name of the auditor and the outcome of the audit;
  - 30.3. Evaluate compliance with the requirements of the approved EMPr and this environmental authorisation;
  - 30.4. Include measures to be implemented to attend to any non-compliances or degradation noted;
  - 30.5. Include copies of any approvals granted by other authorities relevant to the development for the reporting period;
  - 30.6. Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed;
  - 30.7. Include a copy of this authorisation and the approved EMPr;
  - 30.8. Include all documentation such as waste disposal certificates, hazardous waste landfill site licences etc. pertaining to this authorisation; and
  - 30.9. Include evidence of adherence to the conditions of this authorisation relevant such as training records and attendance records.

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#### Commencement of the activity

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

#### Notification to authorities

32. 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

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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.

### Operation of the activity

33. 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

34. Should the activity ever cease or become redundant, the holder of this environmental authorisation 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.

### Specific conditions

#### Avifauna and bats

35. The two (2) turbines i.e. turbines 21 and 39 in the moderate bat sensitive area are not authorised.
36. Turbines, powerlines, new roads, the on-site substation and other infrastructure must be kept out of all high sensitive areas including the Martial Eagle nest; medium and high bat sensitive areas.
37. A 1.2 kilometre no-go buffer must be kept around the Martial Eagle nest.
38. Monitoring of the breeding pair of Martial Eagles must be implemented during the construction phase, to ascertain if the 1.2km buffer zone is effective to prevent disturbance of the birds.
39. A 200 metre buffer must be kept around all water points.
40. A 50 metre no-turbine buffer must be kept around drainage lines ("leegtes").
41. The construction of turbine 1 must be timed to take place outside the breeding season i.e. between November and April.
42. The holder of the EA must tag both of the adult Martial Eagles with a satellite tracking device to establish actual use of the site by the birds, for future adaptive management purposes i.e. to establish which turbines potentially pose the highest risk to the birds, and whether selective curtailment might be necessary. This must take place before the site becomes operational.
43. Feathering must be implemented for all instances where the blade turning speed is below the manufacturer's cut-in speed.

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44. All power lines linking wind turbines to each other and to the internal substation must be buried.
45. Blasting activities must not occur within 2 kilometres of bat roosts, and any new roosts discovered must be reported and incorporated into the adaptive management plan.
46. A bird and bat monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna and bats. Active breeding nests on the development property must be monitored during the construction phase and further mitigation measures must be discussed with the avifaunal specialist and implemented if necessary.
47. The results of the pre-construction bird and bat monitoring programmes including all recommendations proposed by the reports dated June 2014 and August 2014 respectively, must inform the final layout and the construction schedule of the energy facility.
48. A construction phase monitoring plan must survey bird communities at the Wind Energy Facility and must be implemented to monitor impacts resulting from the infrastructure installations. This plan must also detail the duration of the construction phase.
49. Post-construction bird and bat monitoring by an accredited monitor and/or specialist must take place for a minimum of two years. It must be done in accordance with the latest BirdLife South Africa/Endangered Wildlife Trust: Best practice guidelines for avian monitoring and impact mitigation at proposed wind energy development sites in Southern Africa and the SABAAP best practice guidelines.
50. 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.
51. The facility must be designed in a manner that, infrastructure components that could be used as perching or roosting substrates by birds and bats must be prohibited.
52. During construction the holder of this environmental authorisation must restrict the construction activities to the footprint area. No access to the remainder of the property is allowed.
53. 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 fitment of anti-collision devices. These devices must be according to Eskom's Transmission and EWT's Guidelines.
54. A pre-construction walk through of the approved power line alignment and turbine positions by a bat specialist, avifaunal specialist and ecologist, must be conducted to ensure the micro-siting of the

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turbines, pylons and powerline alignment have the least possible impact, there are no nests sites of priority species on or close to the construction corridor, and all protected plant species impacted are identified.

Vegetation, wetlands and water resources

55. The 'no-go' areas of the development property must be clearly demarcated and must be excluded from the final layout plan.
56. Vegetation clearing must be limited to the authorised footprint.
57. Relevant permits must be obtained from relevant authorities for any removal or destruction of Threatened or Protected Species (TOPs) e.g. the nationally protected tree species, *Boscia albitrunca*.
58. 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.
59. Construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
60. 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 EMPr.
61. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
62. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
63. No construction must take place within 50 metres of the nominal centre line of seasonal drainage lines ('leegtes').
64. Ecologically sensitive Aggeneys & Bushmaland Inselberg Shrubland vegetation types must be avoided. All wind turbines and associated infrastructure must be located in less sensitive areas in the southern part of the site i.e. in the Bushmaland Arid Grassland vegetation type.
65. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water and Sanitation.
66. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
67. 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)

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68. The holder of this authorisation must ensure that all the "No-go" and buffer areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
69. Contractors and construction workers must be clearly informed of the no-go areas.
70. 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.
71. 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.
72. The final development area should be surveyed for species suitable for search and rescue, which should be trans-located prior to the commencement of construction.
73. Electric fencing should not have any strands within 30cm of the ground, which should be sufficient to allow smaller mammals, reptiles and tortoises to pass through, but still remain effective as a security barrier.
74. Disturbed areas must be rehabilitated as soon as possible after construction with local indigenous plants to enhance the conservation of existing natural vegetation on site.
75. Wetlands, rivers and river riparian areas must be treated as "no-go" areas and appropriately demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.
76. Workers must be made aware of the importance of not destroying or damaging the vegetation along rivers and in wetland areas and this awareness must be promoted throughout the construction phase.
77. Freshwater ecosystems located in close proximity to the construction areas must be inspected on a regular basis by the ECO for signs of disturbance from construction activities. If signs of disturbance are noted, immediate action must be taken to remedy the situation and, if necessary, a freshwater ecologist must be consulted for advice on the most suitable remediation measures.
78. No discharge of effluents or polluted water must be allowed into any rivers or wetland areas.
79. If construction areas are to be pumped of water (e.g. after rains), this water must be pumped into an appropriate settlement area, and not allowed to flow into any rivers or wetland areas.
80. Workers must be made aware of the importance of not polluting rivers or wetlands and of not undertaking activities that could result in such pollution, and this awareness must be promoted throughout the construction phase.
81. Freshwater ecosystems located in close proximity to the site must be inspected on a regular basis (but especially after rainfall) by the ECO for signs of sedimentation and pollution. If signs of sedimentation or pollution are noted, immediate action must be taken to remedy the situation and, if necessary, a freshwater ecologist must be consulted for advice on the most suitable remediation measures.

Roads and transportation

82. 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.
83. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuters, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
84. 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.
85. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
86. Signage must be erected at appropriate points warning of turning traffic and the construction site.
87. 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.
88. Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.
89. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
90. All construction vehicles should adhere to a low speed limit to avoid collisions with susceptible species such as snakes and tortoises.

Noise

91. 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.
92. A complaints register to record noise complaints must be kept at the wind facility and made available to affected parties.
93. 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.
94. The holder of this authorisation must ensure that all equipment and machinery is well maintained and equipped with silencers.

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95. The holder of this authorisation must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
96. All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors, such as high ground between the noise source and the receiver, indicate that a noise disturbance will not occur.
97. Positions of turbines jeopardizing compliance with accepted noise levels should 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).
98. Construction staff must be trained in actions to minimise noise impacts.

#### Visual resources

99. 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.
100. 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.
101. 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.
102. Signage on or near wind turbines must be avoided unless they serve to inform the public about wind turbines and their function.
103. Commercial messages and graffiti on turbines are prohibited.

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#### Human health and safety

104. 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.
105. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.

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106. 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.
107. 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. A copy of the approval must be kept on site by the ECO.
108. 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.
109. 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.
110. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
111. No unsupervised open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

112. The Batching plant must preferably be located within laydown areas outside sensitive ecological, heritage and paleontological areas.
113. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
114. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
115. 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.
116. 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.
117. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
118. 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.

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119. Temporary bunds must be constructed around chemical storage to contain possible spills.
120. Spill kits must be made available on-site for the clean-up of spills.
121. 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).
122. The holder of this authorisation must provide sanitation facilities within the construction camps and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste disposal site.
123. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2014.

Excavation and blasting activities

124. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
125. Cabling routes outside internal access routes must be approved by this Department.
126. 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.
127. Borrow materials must be obtained only from authorised and permitted sites. Permits must be kept on site by the ECO.
128. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

129. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
130. 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.

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Historical / cultural / paleontological resources

131. 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) so that a systematic and professional investigation/ excavation can be undertaken.
132. 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.
133. All buffers and no-go areas stipulated in this report must be adhered to for both the facilities and all roads and power lines.
134. Should any human remains be uncovered during development they must be immediately protected in situ and reported to the heritage authorities or to an archaeologist. The remains will need to be exhumed at the cost of the developer.
135. All construction and maintenance crew and vehicles (except small vehicles which may use existing farm tracks) should be kept out of the buffer zones.
136. The final layout should be shown to the appointed archaeologist before implementation to confirm that all significant heritage resources have been adequately protected.

Turbines position

137. A maximum of 44 wind turbines are approved.
138. The 44 approved wind turbines must be placed in a manner to avoid "no-go" areas as well as its buffers.
139. The layout plan must exclude turbine 21 and 39.
140. The final placement of turbines must follow a micro siting procedure involving a walk-through and identification of any sensitive areas by botanical and avifaunal specialists.
141. Exclusion of sensitive ecological, heritage and paleontological areas from construction activities must inform micro siting of all development activities.
142. Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.

**General**

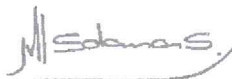
143. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the

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instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

144. A copy of this authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The environmental authorisation and approved EMPr 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 undertakes work at the property.
145. 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 environmental authorisation as set out in this document or any other subsequent document emanating from these conditions of environmental authorisation.

Date of environmental authorisation: 18/04/2016



Ms Millicent Solomons

Acting Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs

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## 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 amended application form received on 15 February 2016.
- b) The information contained in the EIAr;
- c) The comments received from: Department of Water and Sanitation, Department of Mineral Resources, Square Kilometre Array, Bird Life South Africa, Sanral, SAHRA, Eskom and interested and affected parties as included in the EIAr;
- d) The findings of the site visit conducted on 11 February 2016;
- e) Mitigation measures as proposed in the EIAr and the EMPr;
- f) The information contained in the specialist studies contained within the appendices of the EIAr and as appears below:

Title	Prepared by	Date
Botanical Impact Assessment	Bergwind Botanical Surveys and Tours	August 2013
Bird Impact Assessment	Chris van Rooyen Consulting	June 2014
Bats Impact Assessment	Animalia Zoological & Ecological Consultation	August 2014
Agriculture Impact Assessment	Sivest	October 2013
Palaeontology Impact Assessment	Natura Viva	September 2013
Heritage Impact Assessment	ACO Associates cc	October 2013
Visual Impact Assessment	Visual Resource Management Africa cc	August 2013
Socio - Economic Impact Assessment	Urban - Econ: Development Economists	August 2013
Noise Impact Assessment	M <sup>2</sup> Environmental Connections cc	May 2013
Freshwater Impact Assessment	Blue Science	August 2013
Groundwater Resource Potential	SRK Consulting	September 2013

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Assessment		
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- g) 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) Details provided of the qualifications of the Environmental Assessment Practitioner (EAP).
- b) The objections from the Interested & Affected Parties.
- c) The findings of all the specialist studies conducted and their recommended mitigation measures.
- d) The need for the proposed project stems from the provision of electricity to the national grid.
- e) The EIAR identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- f) The description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.
- g) The methodology used in assessing the potential impacts identified in the EIAR and the specialist studies have been adequately indicated.
- h) 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) Turbines 21 and 39 located in the moderate bat sensitive area are not authorised, due to the potential impact on bat species.
- b) The identification and assessment of impacts are detailed in the EIAR and sufficient assessment of the key identified issues and impacts have been completed.
- c) The procedure followed for impact assessment is adequate for the public participation process.

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- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) The manner in which concerns raised were dealt with is sufficient for the decision-making process.
- f) The information contained in the EIAr is deemed to be accurate and credible.
- g) EMPr 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 environmental authorisation is accordingly granted.

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## environmental affairs

Department:  
Environmental Affairs  
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Mrs. Milicent Solomons  
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

### APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 14 APRIL 2016 UNTIL 18 APRIL 2016

I hereby inform you that I have decided to appoint you as the Acting Chief Director: integrated environmental authorisations for the period 14 April 2016 until 18 April 2016 while Mr. Sabelo Malaza is on Annual Leave.

All the correspondence and other documents that are usually signed by the Chief Director: integrated environmental authorisations must be signed under Acting Chief Director: integrated environmental authorisations 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 this 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

  
Mr. Ishaam Abader

DDG: LACE

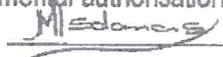
Date: 11/4/2016

  
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#### ACKNOWLEDGEMENT

I ~~ACCEPT~~ / ~~DO NOT ACCEPT~~ appointment as Acting Chief Director: integrated environmental authorisations

Signed: 

Date: 12/04/2016