

Holland & Associates



Environmental Consultants

Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review

14 July 2022

Dear Interested and Affected Party and/or Authority

HIGHLANDS NORTH WIND ENERGY FACILITY (WEF), HIGHLANDS CENTRAL WEF, AND HIGHLANDS SOUTH WEF, AND ASSOCIATED INFRASTRUCTURE, NEAR SOMERSET EAST & PEARSTON, EASTERN CAPE PROVINCE: NOTIFICATION OF DECISIONS ON THE APPLICATIONS FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATIONS

**(HIGHLANDS NORTH WEF DFFE REF No.: 14/12/16/3/3/1/1955/AM1)
(HIGHLANDS CENTRAL WEF DFFE REF No.: 14/12/16/3/3/1/1958/ AM1)
(HIGHLANDS SOUTH WEF DFFE REF No.: 14/12/16/3/3/1/1960/AM1)**

This letter serves to notify all registered Interested and Affected Parties (I&APs) of the Department of Forestry, Fisheries and the Environment's (DFFE) decisions in respect of the Applications for Amendment of the Environmental Authorisations in terms of the National Environmental Management Act 1998 ("NEMA") (Act 107 of 1998) and the Environmental Impact Assessment ("EIA") Regulations (2014), as amended, for the Highlands North Wind Energy Facility (WEF), Highlands Central WEF and Highlands South WEF, and their associated infrastructure, situated approximately 20km west of Somerset East and approximately 23km south-east of Pearston in the Eastern Cape Province. Furthermore, the provisions regarding the submission of appeals that are contained in the National Environmental Management Act (No. 107 of 1998) National Appeal Regulations are also outlined herein, should an I&AP wish to appeal DFFE's decision.

Note: The contact details of all registered Interested and Affected Parties (I&APs) for the project will be made available to any appellant(s), in the case of an appeal, as required in terms of Regulation 4 of the National Appeal Regulations (2014), as amended. Should you object to this intended use of your personal information (which is currently included in the registered I&AP database), please inform Ms Kelli Ross of Holland & Associates Environmental Consultants upon receipt of this notification, or by 18 July 2022.

1. Decisions

You are hereby notified, on behalf of the Highlands North Wind Energy Facility RF (Pty) Ltd, Highlands Central Wind Energy Facility RF (Pty) Ltd and Highlands South Wind Energy Facility RF (Pty) Ltd (hereafter referred to as "the Applicants"), that the Department of Forestry, Fisheries and the Environment (DFFE) has decided to amend the Environmental Authorisations in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended, for the Highlands North Wind Energy Facility (WEF), Highlands Central WEF and Highlands South WEF, and their associated infrastructure near Somerset East and Pearston, in the Eastern Cape Province, respectively.

1.1. Highlands North WEF

DFFE has decided to amend the Environmental Authorisation (EA) dated 4 February 2020, including the following:

- Amendments to the project description of the EA;
- Addition of a Battery Energy Storage System (BESS) to the project description of the EA;
- Amendments to the preliminary layout of the project, and
- Removal of Condition 39 of the EA.

The EA Amendment Decision Letter, dated and issued on 04 July 2022, outlines the decision, the details of the amendments to the EA, the reasons for the amendments, the details of the Applicant and decision maker, and the appeal process in terms of the National Appeal Regulations (2014), as amended. A copy of the EA Amendment Decision Letter is attached herewith as Annexure 1, for your convenience.

1.2. Highlands Central WEF

DFFE has decided to amend the Environmental Authorisation (EA) dated 25 January 2020, including the following:

- Amendments to the project description of the EA;
- The addition of a Battery Energy Storage System (BESS) to the project description of the EA;
- Amendments to the preliminary layout of the project, and
- Correction of an editorial error in the EA.

The EA Amendment Decision Letter, dated and issued on 04 July 2022, outlines the decision, the details of the amendments to the EA, the reasons for the amendments, the details of the Applicant and decision maker, and the appeal process in terms of the National Appeal Regulations (2014), as amended. A copy of the Amendment Decision Letter is attached herewith as Annexure 2, for your convenience.

1.3. Highlands South WEF

DFFE has decided to amend the Environmental Authorisation (EA) dated 21 January 2020, including the following:

- Amendments to the project description of the EA;
- Addition of a Battery Energy Storage System (BESS) to the project description of the EA;
- Amendments to the preliminary layout of the project, and
- Removal of Conditions 17.1 and 42 of the EA.

The EA Amendment Decision Letter, dated and issued on 04 July 2022, outlines the decision, the details of the amendments to the EA, the reasons for the amendments, the details of the Applicant and decision maker, and the appeal process in terms of the National Appeal Regulations (2014), as amended. A copy of the Amendment Decision Letter is attached herewith as Annexure 3, for your convenience.

Please note: A minor editorial error has been detected on page 2 of the EA Amendment Decision Letter for Highlands South WEF. In the description of the activity for Listing Notice 2, Item 1, the

turbine number reads '15' when it should rather read '12'. DFFE have acknowledged this error and are currently correcting the error in the EA Amendment Decision Letter. Once the updated letter has been issued by DFFE, all registered I&APs will be notified and will receive a copy of the updated EA Amendment Decision Letter.

2. Right to Appeal

We would like to draw your attention to your right to appeal against the decision(s) to the Minister in terms of the National Appeal Regulations, 2014, as amended, as outlined within the EA Amendment Decision Letters.

Should any person wish to lodge an appeal against the decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 (twenty) days from the date that the notification of the decision was sent to registered interested and affected parties by the applicant. An appellant must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered Interested and Affected Parties (I&APs)¹, submit an appeal in accordance with Regulation 4 of the National Appeal Regulations (as amended) to the Appeal Administrator, and submit a copy of the appeal to the holder of the decision, any registered I&APs², any Organs of State with interest in the matter and the decision-maker i.e. the Department of Forestry, Fisheries and the Environment (DFFE).

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

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

By email: appeals@environment.gov.za;

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

By post: Private Bag X447,
Pretoria,
0001;

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

Should you have any queries please contact Ms Kelli Ross, Holland & Associates Environmental Consultants, P.O. Box 31108, Tokai 7966, Tel: 083 704 6075 or Email: kelli@hollandandassociates.net.

¹ This letter serves as notification and was sent to registered I&APs on 14 July 2022.

² The registered I&AP database can be requested from Ms Kelli Ross of Holland & Associates Environmental Consultants on kelli@hollandandassociates.net by an Appellant.

Yours sincerely



NICOLE HOLLAND BSc honours, Pr.Sci.Nat., Reg. EAP (EAPASA)
For: Holland & Associates - Environmental Consultants



KELLI ROSS (BSc honours)
For: Holland & Associates - Environmental Consultants

Annexure 1:

**NATIONAL APPEAL REGULATIONS, 2014 (GN R993 IN GOVERNMENT GAZETTE
NO. 38303, 08 DECEMBER 2014)**

Annexure 2:

HIGHLANDS NORTH WEF AMENDMENT DECISION LETTER DATED 4 JULY 2022

Annexure 3:

HIGHLANDS CENTRAL WEF AMENDMENT DECISION LETTER DATED 4 JULY 2022

Annexure 4:

HIGHLANDS SOUTH WEF AMENDMENT DECISION LETTER DATED 4 JULY 2022
