



environmental affairs

Department
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/2117

Enquiries: Mr Lunga Dlova

Telephone: 012-399 8524 **E-mail:** LDlova@environment.gov.za

Mr Alan Wolfromm
Highlands South Wind Energy Facility RF (Pty) Ltd
PO Box 762
Wilderness
WESTERN CAPE
6560

Telephone Number: +27 (0)82 529 4909
Email Address: MrWolf@wkn-windcurrent.com

PER E-MAIL / MAIL

Dear Mr Wolfromm

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 983/984/985 FOR THE ELECTRICAL GRID CONNECTION AND ASSOCIATED INFRASTRUCTURE FOR THE HIGHLANDS SOUTH WIND ENERGY FACILITY WEST OF THE TOWN OF SOMERSET EAST WITHIN THE BLUE CRANE ROUTE LOCAL MUNICIPALITY IN THE EASTERN CAPE PROVINCE

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

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) 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.

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

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant.

M.S

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

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

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

Appeals must be submitted in writing to:

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

Tel: (012) 399 9356

Email: Appeals@environment.gov.za;

Please note that in terms of section 43(7) of the National Environmental Management Act (NEMA), 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.

For guidance on appeals submitted to the Minister in terms of National Environmental Management Act (NEMA) and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: (https://www.environment.gov.za/documents/forms#legal_authorisations).

Kindly include a copy of this document with the letter of notification to interested and affected parties.

Yours faithfully



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

Date: 08/06/2020

cc:	Ashlin Bodasing	Arcus Consultancy Services South Africa (Pty) Ltd	Tel: (021) 412 1529	Email: ashiinb@arcusconsulting.co.za
	Zirk Jordaan	Zirk Jordaan Family Trust	Tel: 0875501434	Email: zirk@iabama.co.za
	Thabiso Klaas	Blue Crane Route Local Municipality	Tel: 042 243 6400	Email: mmanager@bcm.gov.za
	Gerry Pienaar	Eastern Cape Department of Finance, Economic Development, Environmental Affairs and Tourism	Tel: 043 605 7051	Email: gerry.pienaar@dedia.gov.za





environmental affairs

Department
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The electrical grid connection and associated infrastructure for the Highlands South Wind Energy Facility west of the town of Somerset East within the Blue Crane Route Local Municipality in the Eastern Cape Province

Sarah Baartman District Municipality

Authorisation register number:	14/12/16/3/3/1/2117
Last amended:	First issue
Holder of authorisation:	Highlands South Wind Energy Facility RF (Pty) Ltd
Location of activity:	<i>Eastern Cape Province: Farm 102 Rietfontein; Farm 102 – Portion 0 Remaining Extent; Farm 104 Coetzees Fontein - Farm 104 - Portion 0; Farm 104 Coetzees Fontein - Farm 104 - Portion 1; Farm 104 Coetzees Fontein - Farm 104 - Portion 2; Farm 105 Doorn Rivier - Farm 105 - Portion 0 Remaining Extent; Farm 105 Doorn Rivier - Farm 105 - Portion 1; Farm 143 Nels Kraal - Farm 143 – Portion 0; Farm 146 Kiepersol - Farm 146 – Portion 1; Farm 144 Nelskom - Farm 144 - Portion 0 Remaining Extent; Farm 145 De Mullers Kraal - Farm 145 – Portion 0; Farm 145 De Mullers Kraal - Farm 145 – Portion 8; Farm 361 Highlands - Farm 361 – Portion 0 Remaining Extent; Farm 103 Spaarwater - Farm 103 – Portion 0; Farm 101 Lekker water - Farm 101 – Portion 2 and Farm 104 Coetzees Fontein - Farm 104 – Portion 5 in ward 6 in the Blue Crane Local Municipality within the Sarah Baartman District Municipality.</i>

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

Decision

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

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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

Activities authorised

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

Highlands South Wind Energy Facility RF (Pty) Ltd

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

with the following contact details –

Mr Alan Wolfromm
Mountain Forest Farm
Erf 384 Hoekwil
WESTERN CAPE
6538

Telephone Number: (082) 529 4909

Email: mrwolf@wkn-windcurrent.com

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

Activity number	Activity description
<p><u>Listing Notice 1 GN R 327 (as amended) Activity 11:</u> <i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i> <i>(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p>	<p>Medium voltage power lines will be installed to transfer electricity from the turbines to an on-site substation. Cables will be installed underground where feasible.</p>
<p><u>Listing Notice 1 GN R 327 (as amended) Activity 19:</u> <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p>	<p>The construction of the Highlands South Wind Energy Facility includes the excavation of soil in watercourses/drainage line areas, and infilling/deposition will exceed 5 cubic metres and in some instances will exceed 10 cubic metres.</p> <p>The construction of associated infrastructure, such as access tracks crossing watercourses will require excavation and/or infilling of watercourse areas.</p>
<p><u>Listing Notice 1 GN R 327 (as amended) Activity 24:</u> <i>The development of a road—</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i></p>	<p>Access roads of 6 - 12 metres will be required between turbines.</p>
<p><u>Listing Notice 1 GN R 327 (as amended) Activity 27:</u> <i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation</i></p>	<p>The infrastructure and building area of the proposed Highlands South Wind Energy Facility will require clearing of at least 1 hectare of indigenous vegetation in total.</p>
<p><u>Listing Notice 1 GN R 327 (as amended) Activity 28:</u> <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or</i></p>	<p>Construction of the proposed development will change the land use from agriculture to a mixed – agriculture and electricity generation and transmission. The proposed development is</p>

<p><i>afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p>	<p>outside an urban area and has a footprint that will exceed 1 hectare.</p>
<p><u>Listing Notice 3 GN R 324 (as amended) Activity 4:</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres</i></p> <p><i>a. Eastern Cape</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ee) Critical Biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>Internal and external access roads will be constructed, which are wider than 4m. The site falls outside of an urban area and parts of the site fall within a National Protected Area Expansion Strategy Focus areas (NPAESF) and a Tier 2 CBA.</p>
<p><u>Listing Notice 3 GN R324 (as amended) Activity 14:</u></p> <p><i>The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>a. Eastern Cape</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>Bridges and associated road infrastructure will be constructed within 32m of watercourse(s) at the applied for water crossings. The site lies outside of an urban area and a portion of the site falls with an NPAESF area and a Tier 2 Critical Biodiversity Area.</p>

<p><u>Listing Notice 3 GN R324 (as amended) Activity 18:</u> <i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>a. Eastern Cape</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ee) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>Existing farm roads will need to be widened or lengthened. The site lies outside urban areas, and a portion of the site falls with an NPAESF area and a Tier 2 Critical Biodiversity Area.</p>
<p><u>Listing Notice 3 GN R324 (as amended) Activity 23:</u> <i>The expansion of—</i></p> <p><i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>a. Eastern Cape</i></p> <p><i>i. Outside urban areas: (bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The construction of the Highlands South WEF will include the expansion of existing bridges by more than 10m² over watercourses. The site lies outside of any urban area, and parts of the site fall within a Critical Biodiversity Area.</p>

as described in the Basic Assessment Report (BAR) dated February 2020:

- for the electrical grid connection and associated infrastructure for the Highlands South Wind Energy Facility west of the town of Somerset East within the Blue Crane Route Local Municipality in the Eastern Cape Province, at:

Farm names - Portion numbers and Size

Descriptions of all affected farm portions	Farm Name and Portion Number	Portion size (hectare)
	Farm 102 Rietfontein Farm 102 – Portion 0 Remaining Extent	2443.50
	Farm 104 Coetzees Fontein Farm 104 - Portion 0	25.54
	Farm 104 Coetzees Fontein Farm 104 - Portion 1	389.41
	Farm 104 Coetzees Fontein Farm 104 - Portion 2	618.43
	Farm 105 Doorn Rivier Farm 105 - Portion 0 Remaining Extent	1284.79
	Farm 105 Doorn Rivier Farm 105 - Portion 1	1027.83
	Farm 143 Nels Kraal Farm 143 – Portion 0	689.13
	Farm 146 Kiepersol Farm 146 – Portion 1	125.91
	Farm 144 Nelskom Farm 144 - Portion 0 Remaining Extent	223.92
	Farm 145 De Mullers Kraal Farm 145 – Portion 0	865.32
	Farm 145 De Mullers Kraal Farm 145 – Portion 8	0.88
	Farm 361 Highlands Farm 361 – Portion 0 Remaining Extent	1828.82
	Farm 103 Spaarwater Farm 103 – Portion 0	854.39

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	Farm 101 Lekker water Farm 101 – Portion 2	53.96
	Farm 104 Coetzees Fontein Farm 104 – Portion 5	650.37

SG Codes for Highlands South Electrical Grid Connection

21 digit SG Code
C06600000000010500000
C06600000000010500001
C06600000000014300000
C06600000000014600001
C06600000000014400000
C06600000000014500000
C06600000000014500008
C06600000000036100000
C06600000000010300000
C06600000000010100002
C06600000000010400005
C06600000000010500000

Geographic Coordinates of Linear activities

Highlands South Grid Connection (Preferred Alternative 1)		
Alternative (preferred corridor)	Latitude	Longitude
Start coordinates	32°47'25.30"S	25°22'27.45"E
Middle coordinates	32°43'54.62"S	25°20'57.37"E
End coordinates	32°41'25.08"S	25°21'48.69"E

The Highlands South electrical grid connection will comprise of the following

Component	Description/Dimensions
Height of pylons	Maximum of 30 m high
Length of transmission line	Max 13 km depending on the substation location and OHL route selected.

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Type of poles used	Both monopoles and lattice structures are being considered at this point.
Area occupied by pylon servitude	Width of servitude = 31 m. Maximum total area occupied 62.0 ha
Transmission capacity	Either a 66 kV line, evacuating a maximum of 85MW and/or a 132 kV line, evacuating a maximum of 155MW.
Area occupied by both permanent and construction laydown areas	Laydown areas used are the same as for the Wind Energy Facility.
Area occupied by buildings	Control and office buildings located next to the substation will cover a maximum of 0.5 hectares
Length of service road	Approximately 13 km
Width of service road	3 - 4 m wide
Proximity to grid connection Approximately 13 km	Proximity to grid connection Approximately 13 km
Height of fencing 2.4 m only around on-site substation	Height of fencing 2.4 m only around on-site substation
Type of fencing wired mesh / chain link fence not electrified	Type of fencing Wired mesh / chain link fence not electrified

Conditions of this Environmental Authorisation

Scope of authorisation

1. The electrical grid connection and associated infrastructure for the Highlands South Wind Energy Facility west of the town of Somerset East within the Blue Crane Route Local Municipality in the Eastern Cape Province as described above is approved.
2. Construction of the grid connection may only commence once the Highlands North Wind Energy Facility (DEFF Reference number: 14/12/16/3/3/1/1959), has commenced with the construction phase.
3. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.

4. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
5. The activities authorised may only be carried out at the property as described above.
6. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
7. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
8. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
9. Construction must be completed within ten (10) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

11. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
12. The notification referred to must –
 - 12.1. specify the date on which the authorisation was issued;
 - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request;
and
 - 12.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

13. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

14. The Generic Environmental Management Programme (EMPr) submitted as part of the BAR dated February 2020 is approved and must be implemented and adhered to.
15. The final route alignment layout plan must be included in the EMPr and must indicate the following:
 - 15.1. The final delineation of the centreline of the power line within the approved corridor/s;
 - 15.2. The specific position of the pylon structures and foundation footprints;
 - 15.3. All existing infrastructure on the site, especially roads;
 - 15.4. All sensitive features/areas and/or no-go areas e.g. wetlands and drainage channels that will be affected by the power line; and
 - 15.5. All "no-go" and buffer areas.
16. The EMPr must be amended to include any site-specific mitigation measures that may arise when the final walk through are undertaken.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.

20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R982 of 04 December 2014, as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

Monitoring

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

Recording and reporting to the Department

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.

25. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R982 of 04 December 2014, as amended.
27. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and Competent Authority in respect of this development.

Notification to authorities

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

Operation of the activity

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

Site closure and decommissioning

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

Specific conditions

33. A final route alignment must be submitted to this Department for approval prior to construction commencing.
34. The applicant must submit a walkthrough report with the specialist recommendations to determine the power line spans of the grid connection route that will require marking devices [Bird Flight Diverters (BFDs)] to increase visibility.
35. Anti-collision devices such as bird flappers must be installed where the power line crosses avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
36. The location of the power line, must as far as possible, be confined to already transformed areas; while those areas that cannot be avoided is spanned.
37. Appropriately qualified vegetation and wetland specialists must be present for the 'walk-through' to determine the final power line routes, to identify spans that mitigate the impact of collisions and tower/pylon placements that avoid sensitive vegetation and watercourses.
38. All construction camps, lay down areas, batching plants or areas and any stores must be more than 32m from any demarcated water courses and 50m from a wetland.
39. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
40. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
41. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
42. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
43. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.

44. Concurrent rehabilitation and alien vegetation control program within all sensitive areas must be implemented in terms of Conservation of Agricultural Resources Act, 43 of 1983 (CARA) and National Environmental Management: Biodiversity Act, 10 of 2004 (NEMBA).
45. Construction must include 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.
46. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) and AMAFA must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.
47. 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).

General

48. The recommendations of the EAP in the BAR dated February 2020 and the specialist studies attached thereto must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
 49. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 49.1. at the site of the authorised activity;
 - 49.2. to anyone on request; and
 - 49.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
 50. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.
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Date of Environmental Authorisation: 08/06/2020



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 14 November 2019.
- b) The information contained in the BAR dated February 2020.
- c) The comments received from Eskom: Land Development and Management; the Cacadu District Development Agency: Renewable Energy; the Department of Rural Development Reform: Office of the Director General; the Department of Environmental Affairs: Biodiversity and Conservation; the Eastern Cape Province Heritage Resources Authority; the SA Civil Aviation Authority: Air Navigation Services Department; SANRAL: Statutory Control; the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism: Environmental Impact Management; and interested and affected parties as included in the BAR dated February 2020.
- d) Mitigation measures as proposed in the BAR dated February 2020 and the EMPr.
- e) Details of the site inspection carried out on 05 and 06 December 2018.
- f) The information contained in the specialist studies contained within the appendices of the final BAR dated February 2019 and as appears below:

Specialist Study Title	Prepared by	Date
Agricultural Impact Assessment	Johann Lanz	August 2018
Aquatic Impact Assessment	Dr Brian Michael Colloty of Scherman Colloty and Associates	August 2018
Fauna & Flora Specialist Assessment	Simon Todd of 3Foxes Biodiversity Solutions	August 2018
Pre-construction Bird Monitoring Impact Assessment	Andrew Pearson of Arcus Consulting Services South Africa (Pty) Ltd (October 2019) and Peer Review by Jon Smallie of Wild Skies Ecological Services (Pty) Ltd	October 2019
Heritage Impact Assessment	Dr Jayson Orton of ASHA Consulting (Pty) Ltd (August 2018) with incorporation of Paleontologically Study carried by Dr John Almond of Natura Viva cc	November 2019 (July 2018):
Visual Impact Assessment	Quinton Lawson of Bernard Oberholzer	November 2018

Social Impact Assessment	Tony Barbour and Schalk van der Merwe	September 2018
Traffic Impact Assessment	Stephen Fautley of Techso (Pty) Ltd	September 2018

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need and desirability of the project is mainly to evacuate the power generated by the Highlands North Wind Energy Facility (DEFF Reference number: 14/12/16/3/3/1/1955).
- c) The BAR dated February 2020 identified all legislation and guidelines that have been considered in the preparation of the BAR dated February 2020.
- d) The methodology used in assessing the potential impacts identified in the BAR dated February 2020 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, 2014, as amended, for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated February 2020 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.
- d) The information contained in the BAR dated February 2020 is deemed to be accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

Annexure 2: Approved Corridor

