



DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
 REPUBLIC OF SOUTH AFRICA
 Tel: (012) 310-3911
 Fax: (012) 310-2682

FAX COVER SHEET

DATE: 06/05/2008

TO: Deirdre Herbst
 ORGANISATION: Eskom Holdings Limited
 FAX: (011) 800 5140

FROM: Thabiso Phoko
 TEL: (012) 310-3290
 FAX: (012) 310 7539
 E-MAIL: tphoko@deat.gov.za
 NO PAGES: (including this page)

ROOM NO: Fedure Forum S 402

SUBJECT: GRANTING OF CONDITIONAL AUTHORITY FOR THE
 12/12/20/813: PROPOSED CONSTRUCTION OF A WIND ENERGY FACILITY AND
 ASSOCIATED INFRASTRUCTURE, WESTERN CAPE PROVINCE

ENVIRONMENTAL (Pty) Ltd
 DEAD&P

MESSAGE:
 Cc Ms Karen Jodas Savannah Environmental (Pty) Ltd
 Head Of Department Western Cape

Fax: 086 684 0547
 Fax: (012) 483 4372



environment & tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001 - Fedure Building 315 Pretorius Street
Reference: 12/
Enquiries: Ms Len
Telephone: (012) 310-3087 Fax: (012) 320-7

P.O. Box 1212/20/913
Pretoria, 0002. Tel: (+27 12) 310 3911 Fax: (+27 12) 322 2692
L Grobbelaar
E-mail: LGrobbelaar@deat.gov.za

Deirdre Herbst
Eskom Holdings Limited
P. O. Box 1091
JOHANNESBURG
2000

Fax no: (011) 800-5140

PER FACSIMILE / MAIL

Dear Madam

GRANTING OF CONDITIONAL AUTHORISATION | PROPOSED CONSTRUCTION OF A WIND | INFRASTRUCTURE, WESTERN CAPE PROVINCE

FOR PROJECT REFERENCE 12/12/20/913:
ENERGY FACILITY AND ASSOCIATED

With reference to the abovementioned application, I
decided to grant authorisation. The environmental
attached herewith.

please be advised that the Department has
authorisation and reasons for the decision are

In terms of regulation 10(2) of the Environmental Imp
instructed to notify all registered interested and affect
(7) calendar days of the date of this letter, of the
application as well as the provisions regarding the m.
regulations.

Impact Assessment Regulations, 2006, you are
interested parties (IAPs), in writing and within seven
Department's decision in respect of your
making of appeals that are provided for in the

Your attention is drawn to Chapter 7 of the Regul
Attached please find a simplified copy of the appeals
copy of this procedure with the letter of notification to I

regulations which regulates appeal procedures.
procedure to be followed. Kindly include a
IAPs.

A copy of the official appeal form can be obtained from
Mr PKM Retief, Appeals Administrator, Tel: 012 310 37
Mr H Grové, Appeals Administrator, Tel: 012 310 3070

0105, pretief@deat.gov.za or
hgrové@deat.gov.za, at the Department.

Should you wish to appeal any aspect of the decis
intention to appeal with the Minister, within 10 days of
one of the following methods:

decision, you must, *inter alia*, lodge a notice of
receiving notice of the decision, by means of

By facsimile: (012) 310 3688;

By post: Private Bag X447, Pretoria, 00

0101; or

Rutshofo wa zwa Uhupo na Vhuzadlamashango • Litiko la Yesimondzawo na
Ndzawulo ya Tlhaké & Mbango • Department: Omgevingsake en Toerism
Kgoro ya Tikologo la Bote • UmNyango wezeBhuduluka ndurVetshaha • Umnyar

IsitekiVakasha • Isitebe amCimbi yakusihngangileyo noKhenketho
• Isitebe la Tikologo la Bohanhgudi • Isitebe la Bohanhgudi
Wazemvelo Nokuvakaha

By hand: 2nd Floor, Fedsure Form B
Pretorius Streets, Pretoria.

Should the applicant decide to appeal, the applicant must serve a copy of its notice of intention to appeal on all registered IAPs as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Please include the Department, attention of the Director: Environmental Impact Evaluation, in the list of IAPs, notified through your notification letter of the decision, for record purposes.

You are strongly advised to refrain from the initiation of any construction activities prior to the conclusion of the appeals process. All construction activities initiated during the appeals process will be done solely at your risk.

Yours faithfully



Ms Nosipho Jezile
Acting Director – General
Department of Environmental Affairs and Tourism
Letter signed by: Ms. Lize McCourt
Designation: Chief Director: Environmental Impact Management
Date: 24/4/2008

CC: Ms Karen Jodas
Head of Department

Savannah Environmental
Western Cape DEAD&P

(Pty) Ltd

Fax: 086 684 0547
Fax: (021) 483-4372

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7
THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF ENVIRONMENTAL AUTHORITY NOTIFICATION OF AN ENVIRONMENTAL AUTHORITY**

**OF R. 385 OF 2006 TO BE FOLLOWED BY
INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF ENVIRONMENTAL AUTHORITY**

	APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1	1. Receive notice of Environmental Authorisation from the relevant Competent Authority	1. Receive notice of Environmental Authorisation from Applicant/Consultant
2	2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal
3	3. Notification served by the Applicant must include: 3.1. A copy of the notice of intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs	3. Appellant must serve on the Applicant a copy of the notice of intention to appeal and a notice indicating where and for what period the appeal submission will be available for inspection by the applicant
4	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal
5	5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date that the appeal submission was made available for inspection by the appellant	5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of State within 30 days from the date the appeal submission was made available for inspection by the appellant

NOTES:

1. An appeal against a decision must be lodged with
 - a) the Minister if the decision was issued by the Director-General in his/her capacity as the delegated Competent Authority
 - b) the MEC if the decision was issued by the Head of Department in his/her capacity as the delegated Competent Authority
 - c) the delegated organ of state where relevant.
2. An appeal lodged with:-
 - a) the Minister must be submitted to the Department of Environmental Affairs and Tourism
 - b) the MEC must be submitted to the provincial department responsible for environmental affairs
 - c) the delegated organ of state, where relevant, must be submitted to the delegated organ of state
3. An appeal must be:-
 - a) on an official form obtainable or published by the relevant department
 - b) accompanied by:
 - a statement setting out the grounds of appeal
 - supporting documentation which is referred to in the appeal and is not available to the relevant department
 - a statement that the appellant has complied with the requirements of regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62
 - the prescribed appeal fee, if any.
4. A copy of the official appeal form can be obtained from:-
 - Mr PKM Retief, Appeals Administrator, Tel: 012 310 3705
 - Mr H Grové, Appeals Administrator, Tel: 012 310 3710

Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the decision, by means of one of the following methods:

 - By facsimile: 012 310 3688;
 - By post: Private Bag X447, Pretoria, 000 1
 - By hand: 2nd Floor, Fedsure Form Building, Pretorius Streets, Pretoria.

- :-
- Director-General (or another official) acting in his/her capacity as the delegated Competent Authority
- Head of Department (or another official) acting in his/her capacity as the delegated Competent Authority
- Department of Environmental Affairs and Tourism
- Department responsible for environmental affairs
- must be submitted to the delegated organ of state
- relevant department
- the appeal and is not available to the relevant department
- regulation 62 (2) or (3) together with copies
- from:
- 012 3705, pretief@deat.gov.za ; or
- 012 3710, hgrove@deat.gov.za, at the Department.
- decision, you must, *inter alia*, lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the decision, by means of one of the following methods:
- 111; or
- Building, North Tower, cor. Van der Walt and

Environmental Authorisation

Authorisation register number:	112/12/20/913
Last amended:	
Holder of authorisation:	EESKOM HOLDINGS LIMITED
Location of activity:	Matzikama Local Municipality & West Coast District Municipality

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 activity specified below.

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 No. 107 of 1998)(NEMA) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises –

ESKOM HOLDINGS LIMITED

with the following contact details –

Ms Deirdre Herbst
P.O. Box 1091
JOHANNESBURG
2000

Tel: (011) 800-3501
Fax: (011) 800-5140

to undertake the following activities (hereafter referred to as "the activities")

GN R387:

1 (a): the construction of facilities or infrastructure, including associated structures or infrastructure, for the generation of electricity where
(i) the electricity output is 20 megawatts or more; or
(ii) the elements of the facility cover a combined area in excess of 1 ha.

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1 (l): The construction of facilities or infrastructure for the transmission and distribution of above ground electricity with a capacity of 120kv or more.

2: Any development, activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be 20ha or more.

GN R386:

12: The transformation or removal of indigenous vegetation of 3ha or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

14: The construction of masts of any material or type and of any height, including those used for telecommunications broadcasting and radio transmission, but excluding

(a) masts of 15m and lower exclusively used by

- (i) radio amateurs; or
- (ii) for lighting purposes

(b) flagpoles; and

(c) lightning conductor poles.

15: The construction of a road that is wider than 6m or that has a reserve wider than 6m, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30m long.

16(a): The transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 11ha.

17: The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30m³ but less than 1000m³ at any one location or site.

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for the construction of a 200MW wind energy facility and the improvement of a road as described in the Environmental Impact Report (EIR) dated February 2008 page 3-5

at Portion 5 of the Farm Gravewaterkop 158 (known as the Farm Olifants River Settlement (known as Skilj) Farm Olifants River Settlement (known as Ncoitg Matzikama Local Municipality of the West Coast Province, hereafter referred to as "the property".

The proposed project will include the following:

- 100 wind turbine units (80m in height) with a 990m diameter rotor (consisting of 3.45m high tower;
- A concrete foundation (15mx15m) to support each turbine and substation;
- Underground electrical cabling between each turbine and substation;
- A substation (80mx80m) to receive generated power via underground distribution cabling from each wind turbine;
- 132kV overhead powerline from the wind farm substation to the electricity grid at the Juno substation to the electricity grid at the Juno substation at Koekenaap;
- An access road to the site from the main R363 road to each wind turbine site (with a permanent travel surface of approximately 6m in width);
- A workshop / office building and visitors centre at the facility entrance (400m²).

The site is 3700ha in extent of which 70ha will be impacted upon by the proposed development and associated infrastructure, e.g.

The granting of this environmental authorisation is subject to the conditions set out below.

ability, 132kV distribution powerline and the Environmental Impact Report (EIR) dated February

known as Skaapvlei), a Portion of Portion 620 of the Farm Olifants River Settlement (known as Skilj) and a Portion of Portion 617 of the Farm Olifants River Settlement (known as Ncoitg) (hereafter referred to as "the property"), which fall within the jurisdiction of the Matzikama Local Municipality in the Western Cape

990m diameter rotor (consisting of 3.45m

high tower;

turbine and substation;

power via underground distribution cabling

substation to the electricity grid at the Juno

substation at Koekenaap;

to each wind turbine site (with a permanent travel

at the facility entrance (400m²).

impacted upon by the proposed development

, e.g.

subject to the conditions set out below.

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Conditions

Scope of authorisation

- 1.1 The site, as per the description on page 3-5 of the EIR dated February 2008, and as determined by the site identification and selection process is the site which is authorized.
- 1.2 The preferred alternative corridor for the proposed 132kV powerline is Alternative 1 with sub-alternative 1a. (EIR dated February 2008)
- 1.3 The following three areas must be avoided and no construction is allowed within these areas:
 - 1.3.1 The high local sensitivity areas in terms of vegetation at the western corner of the site.
 - 1.3.2 Two small wetlands which are located within 50m of a turbine / access road.
 - 1.3.3 A concentration of shell middens recorded at each of the two dried springs that were once waterholes with potable water.
- 1.4 A site layout must be submitted to this Department to indicate how the areas mentioned in 1.3 above has been taken into consideration with regards to the layout of the wind turbines as well as the related infrastructure.
- 1.5 A botanical survey of all the permanent hard surface development footprints must be undertaken by a suitably qualified botanist prior to commencement of construction in order to identify and rescue any translocatable species, selected succulents, shrubs and bulbs.
- 1.6 Grazing within the disturbed area must be avoided for as long as it is needed to ensure total rehabilitation of the vegetation in the disturbed areas.
- 1.7 The R363/Skaapvlei road intersection as well as the first 1800m of the DR2225 from the R363 must be improved to a bituminous surface road.
- 1.8 The extent of the improvements to the remaining portion of the Skaapvlei Road road to be in a condition to deal with the construction vehicles needed for transportation of the wind turbines and cranes.
- 1.9 Waste disposal must take place in accordance with Section 20 of the Environmental Conservation Act, 1989 (Act 73 of 1989)
- 1.10 The applicant must ensure that the following takes place:

- a) the spans between the towers must be increased to the maximum necessary to meet technical and safety requirements, in order to limit the impact on sensitive vegetation areas.
 - b) sections of the powerline crossing or traversing adjacent to any dams and open water courses are marked with bird flappers on the earth wires.
 - c) all sections of the power line crossing rivers, as well as drainage lines and other bird sensitive areas as determined by Appendix I in the EIR dated February 2008, are marked with bird flappers on the earth wires.
 - d) apart from the river and drainage line crossings, but where the powerline runs parallel to riverine, riparian and wetland areas, powerline design should be in accordance to the requirement of the National Water Act 1998.
 - e) the presence of red data floral species and other sensitive vegetation are identified and/or verified by a suitably qualified specialist. The areas occupied by these red data and other sensitive vegetation must be avoided at all times.
 - f) the heritage and ecology specialist reports must inform the nature and positioning of the power lines to ensure that no sensitive environmental features are impacted upon.
 - g) mitigation measures for affected sensitive areas, inclusive of bird mitigation measures, are applied equally to existing powerlines, especially in areas or sections where the proposed powerlines run adjacent and/or in proximity to existing powerlines, in order to minimise cumulative adverse impacts.
 - h) excluded areas from development including important stands of vegetation, particularly indigenous grassland are protected by temporary fencing (during construction) and limitations on access for vehicles, machinery and materials storage.
- 1.11 Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
- 1.12 The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 1.13 The activity authorised may only be carried out at the property indicated above.

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- 1.14 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.
- 1.15 This activity must commence within a period of two (2) years from the date of issue. 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.
- 1.16 All recommendations and mitigation measures in the EIR dated 20 February 2008 must be implemented.
- 1.17 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.
- 1.17.1 Relevant legislation that must be complied with by the holder of this authorisation include:
- Archaeological remains, artificial features and structures older than 60 years, are protected by the National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artifacts be exposed during excavation for the purpose of laying foundations, construction in the vicinity of the finding must be stopped. An archaeologist must be called to the site for inspection. Under no circumstances shall any artifacts be destroyed or removed from the site. The South African Heritage Resource Agency must be contacted if any artifacts are found.
 - All provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).
 - All provisions of the National Environment Management: Biodiversity Act, 2004 (Act 10 of 2004).
 - Should fill material be required for any purpose, the use of borrow pits must comply with the provisions of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002) administered by the Department of Minerals and Energy.

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- All provisions of the Nature Conservation Ordinance (Act 19 of 1974).
- All provisions of the Hazardous Substances Act (Act 15 of 1973).
- All provisions of the National Road Traffic Act (Act 93 of 1996).
- All provisions of the National Water Act (Act 36 of 1998).

Appeal of authorisation

- 1.18 The holder of the authorisation must notify every registered interested and affected party, in writing and within 7 (SEVEN) calendar days, of receiving notice of the Department's decision to authorise the activity.
- 1.19 The notification referred to in 1.7 must—
- 1.19.1 specify the date on which the authorisation was issued;
 - 1.19.2 inform the interested and affected party of the appeal procedure provided for in Chapter 8 of the regulations; and
 - 1.19.3 advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.

Management of the activity

- 1.20 The Construction and Operation Environmental Management Plan (EMP) submitted as part of the application for environmental authorization is approved.
- 1.21 As per the EMP, the Environmental Control Officer (ECO) will be appointed. The following duties must be included:
- The ECO shall be appointed one month before the start of construction and the authorities must be notified of such an appointment for communication purposes.
 - The ECO shall submit a bi-monthly environmental compliance report, in writing, to the Department and copy the Applicant with such a report. This report shall include a description of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO. The report must reflect the reference number of the project on the cover page.

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- The ECO shall maintain the following on site:
 - A site diary
 - Copies of all monthly reports submitted to the Department
 - A schedule of current site activities including the monitoring of such activities
 - A complaints register of all public complaints and the remedies applied to such complaints.
- The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is handed over to Eskom by the contractor for operation.

Monitoring

1.22 The applicant will have the responsibility of implementing the approved EMP.

Recording and reporting to the Department

1.23 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report 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 EMP.

Commissioning of the activity

1.24 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

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Operation of the activity

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

be given to the Department that the activity

Site closure and decommissioning

1.26 Should the use of the facility ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

or become redundant, the applicant shall
by legislation at the time and comply with
by any relevant and competent authority at

General

1.27 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.

at the property where the activity will be
duced to any authorised official of the
be made available for inspection by any
sisation who works or undertakes work at

1.28 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details; the applicant must notify the Department as soon as possible the applicant knows the new details.

ils change, including the name of the
address and/ or telephonic details; the
ss the applicant knows the new details.

1.29 The holder of the authorisation must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. 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 regulations.

ere Department, in writing and within 48
orisation cannot be or is not adhered to.
be accompanied by reasons for the non-
n of this authorisation may result in
ted for in the National Environmental

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1.30 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ment, local authorities or committees appointed
tion or any other public authority shall not be
s suffered by the applicant or his successor
o or operation subsequent to construction be
asons of non-compliance by the applicant
s set out in this document or any other
e conditions of authorisation.

Date of environmental authorisation: 24 April 2008



Ms Nosipho Jezile

Asstg Director-General

Department of Environmental Affairs and Tourism

Letter signed by: Ms. Lize McCourt

Designation: Chief Director; Environmental Impact Management

Annexure 1: Reasons for Decision

1. Background

The applicant, Eskom Holdings Limited, applied for authorisation to carry out the following activities –

GN R387:

1 (a): *the construction of facilities or infrastructure, for the generation of electricity where*

(i) *the electricity output is 20 megawatts or more;* or

(ii) *the elements of the facility cover a combined area in excess of 1 ha.*

1 (l): *The construction of facilities or infrastructure for the transmission and distribution of above ground electricity with a capacity of 120kv or more.*

2: *Any development, activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be 20ha or more.*

GN R386:

12: *The transformation or removal of indigenous vegetation of 3ha or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).*

14: *The construction of masts of any material or type and of any height, including those used for telecommunications broadcasting and radio transmission, but excluding*

(a) *masts of 15m and lower exclusively used by*

(i) *radio amateurs; or*

(ii) *for lighting purposes*

(e) *flagpoles; and*

(f) *lightning conductor poles.*

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15: The construction of a road that is wider than 4m or that has a reserve wider than 6m, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30m long.

16(a): The transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1ha.

17: The above ground storage of a dangerous petroleum gas or paraffin, in containers with a combined capacity of more than 30m³ but less than 1000m³ at any one location or site.

for the construction of a 200MW wind energy facility, 132kV distribution powerline and the improvement of a road as described in the EIR dated February 2008 page 3-5

The applicant appointed Savannah Environmental (Pty) Ltd to undertake an Environmental Impact Assessment process as required by regulation R. 385.

2. Information considered in making the decision

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

- a) The information contained in the Scoping Report and Plan of Study for EIR dated September 2007;
- b) The information contained in the EIR dated February 2008;
- c) The Wind Energy Facility Site Identification & Technical Considerations Regional Assessment Report dated 21 June 2007;
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- e) Comments from the Interested and Affected Parties.

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3. Key factors considered in making the decision

All information presented to the Department for 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 applicant has met the requirements of the EIR as per the EIA Regulations, 2006.
- b) A detailed public participation process was undertaken and the consultant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.
- c) As part of the EIA process, Savannah Environmental (Pty) Ltd, being the principal consultancy, identified potential environmental impacts associated with the proposed construction and operation and proposed feasible mitigation measures to mitigate the identified impacts.
- d) Alternative sites and corridors were investigated to minimize the potential harm to the environment.
- e) Comments received from the Interested and Affected Parties (I&APs) were adequately addressed.

4. Findings

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

- The construction of the wind energy facility and associated infrastructure will assist Eskom in reaching the 10-year target of producing 10 000GWh energy by 2013 and produced mainly from biomass, wind, solar and small-scale hydro projects.
- It is a detailed EIR which included the identification and assessment of impacts.
- The significant environmental impacts identified during the EIR phase were adequately addressed and mitigation measures for these impacts were proposed. The most significant impacts identified were:
 - o Visual impacts;
 - o Local site specific impacts;
 - o Impacts associated with the overhead power line; and
 - o Impacts associated with the transportation of components.

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- The procedure followed for the impact assessment seems to be adequate for the decision-making process. The assessing officer is of the opinion that the assessment is adequate and comprehensive enough and that possible impacts have been assessed correctly.
- All legal and procedural requirements have been met.
- There has been sufficient consultation with stakeholders and interested parties (S&APs).
- No comments were received from the Western Cape Department of Environmental Affairs and Development Planning (DEAD&P).
- The proposed development is compatible with the proposed site for the development.
- Project specific environmental management measures (included in the EMP) were proposed and included in the EIR, and will be implemented to manage the identified impacts during the construction and operation 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 authorisation for the activity is accordingly granted.

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