



REFERENCE: 16/3/3/1/C3/2/0032/22
ENQUIRIES: Dorien Werth
DATE OF ISSUE: 25 April 2023

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED DEVELOPMENT OF A RADIO MAST, APPROXIMATELY 90 METRES IN HEIGHT ON PORTION 1 OF THE FARM NO. 15 OF TRAKASKUILEN LOCATED ON THE BEAUFORT WEST CLUSTER OF WIND FARM DEVELOPMENTS, NEAR THE TOWN OF BEAUFORT WEST IN THE WESTERN CAPE PROVINCE

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

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 ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to **the Preferred Alternative**, described in the Final Basic Assessment Report ("FBAR"), dated 06 March 2023 as prepared and submitted by SLR Consulting Africa (South Africa) (Pty) Ltd, the appointed Environmental Assessment Practitioner ("EAP").

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

BEAUFORT WEST WIND FARM (PTY) LTD
% Me. Rebecca Thomas
PO Box 45063
Claremont,
7735

Tel: 073 452 0096

Email: rebecca.thomas@mainstreamrp.com

The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as “**the Holder**”).

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Environmental Impact Assessment Regulations Listing Notice 3 Government Notice No. 324 of 7 April 2017</p>	
<p>Activity Number: 3 Activity Description:</p> <p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—</p> <ul style="list-style-type: none"> (i) is to be placed on a site not previously used for this purpose; and (ii) will exceed 15 metres in height— <p>but excluding attachments to existing buildings and masts on rooftops.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> i. All areas outside urban areas; ii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or Areas zoned for use as public open space or equivalent zoning within urban areas. 	<p>The proposal is for the development of a 90-metre-high Telecommunication Tower that will be situated on an approved Main Transmission Station “MTS” in Beaufort West.</p>

The abovementioned list is hereinafter referred to as “**the listed activity**”.

The Holder is herein authorised to undertake the following alternative (Preferred Alternative) that includes the listed activities as it relates to the development and development footprint area:

The Preferred Alternative entails the installation of one (1) Telecommunications Tower approximately 90 metres (m) in height on the authorised 132kV / 400kV Main Transmission Substation (MTS) located on the Beaufort West Cluster of wind farm developments, near the Town of Beaufort West. The proposed Telecommunications Tower is required by Eskom Holdings Ltd in order for the authorised MTS to be able to communicate via a radio frequency to other Eskom substations in the area.

A final design plan must be submitted to this Directorate as part of the Environmental Management Programme (EMPr).

C. SITE DESCRIPTION AND LOCATION

The proposed mast will be located on Portion 1 of Farm No. 15 of Trakaskuilen located on the Beaufort West Cluster of wind developments, approximately 60km south of the town of Beaufort West in the Prince Albert Local Municipality. Access to the project site will be from the N12 national road, which bisects the authorised Beaufort West and Trakas Wind Farm project site as well as the existing roads in the area. The existing roads within the Beaufort West Wind Farm site connect to the N12 national road and provide direct access to the site.

Site Coordinates

ALTERNATIVE 1 (PREFERRED):

Latitude (S)			Longitude (E)		
32°	55'	23.95"	22°	33'	28.30"
32°	55'	22.49"	22°	33'	5.43"
32°	55'	41.75"	22°	33'	3.79"
32°	55'	43.33"	22°	33'	26.62"

SG Digit codes of the Farm: C06100000000015000010

Refer to the Locality Map in Annexure 1 and Site Layout Plan in Annexure 2 of this Environmental Authorisation.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

SLR Consulting Africa (South Africa) (PTY) Ltd.
Mr Stuart Heather-Clark
68 on Main, Old Main Road
Kloof
Durban
6340

Tel: (011) 467 0945

Email: shclark@slrconsulting.com

E. CONDITIONS OF AUTHORISATION

Scope and Validity Period of authorisation

1. This Environmental Authorisation is granted for the period from the date of issue until **31 May 2028**.
2. The holder of this environmental authorisation must commence with the listed activity and conclude the development activity (construction phase activities) by **31 May 2028**. All rehabilitation must be completed by the said date, as well as the post-construction rehabilitation and monitoring requirements.

Should the authorised activity not be concluded by the said date, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998).

3. The Holder is authorised to undertake the listed activities specified in Section B above in accordance with the Preferred Alternative described in the FBAR dated 06 March 2023 on the site as described in Section C above.

The Holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the development and development footprint area:

The proposal entails the development of a 90-metre-high Telecommunication Tower with associated infrastructure on the Remaining Extent of Portion 1 of Farm No. 15 of Trakaskuilen, located 60km south of the town Beaufort West in the Prince Albert Local Municipality. The design of the telecommunication tower will be tapered steel lattice with either a square (4 leg) or triangular (3 leg) structure. The Telecommunication Tower will be approximately 90m in height and will be placed within the footprint for the authorised 33kV/132kV MTS. A final design plan must be submitted to this Directorate as part of the EMPr.

4. This Environmental Authorisation may only be implemented in accordance with an approved Environmental Management Programme ("EMPr").
5. The Holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the Holder.
6. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

Notification and administration of appeal

7. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the decision reached on the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 7.4 provide the registered I&APs with the:
 - 7.4.1 name of the Holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the Holder,
 - 7.4.4 telephonic and fax details of the Holder,
 - 7.4.5 e-mail address, if any, of the Holder,
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

Commencement

8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
9. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Written notice to the Competent Authority

10. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities.
 - 10.1 The notice must make clear reference to the site details and EIA Reference number given above.

10.2 The notice must also include proof of compliance with the following conditions described herein: **Conditions: 7, 8, 11 & 13.**

Management of activity

11. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended and submitted for approval to the Competent Authority:
- 11.1 The amended EMPr must –
- 11.1.1 provide that ECO monthly compliance monitoring reports **must** be submitted to this Directorate on a monthly basis.
 - 11.1.2 Incorporate all the conditions given in this Environmental Authorisation;
 - 11.1.3 Include the final design plan.
- 11.2 The amended EMPr must be submitted to the Competent Authority prior to the construction activities commencing on site.

12. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

13. The Holder must appoint a suitably experienced Environmental Control Officer ("ECO"), for the duration of the construction and rehabilitation phases.
14. The ECO must–
- 14.1 be appointed prior to commencement of any works (i.e. removal and movement of soil);
 - 14.2 ensure compliance with the EMPr and the conditions contained herein;
 - 14.3 keep record of all activities on the site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO;
 - 14.4 remain employed until all development activities are concluded, and the post construction rehabilitation and monitoring requirements are finalised.
15. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.
16. Access to the site must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

17. The Holder must, for the period during which the environmental authorisation; and EMPr remain valid ensure the compliance with the conditions of the environmental authorisation and provisions of the EMPr, is audited.
18. The frequency of auditing of compliance with the conditions of the environmental authorisation and compliance with the provisions of the EMPr, must adhere to the following programme:
 - 18.1 During the period which the activities have been commenced with on site and post construction rehabilitation and monitoring requirements have been completed, the Holder must ensure annual environmental audit(s) are undertaken and the Environmental Audit Report(s) submitted annually to the Competent Authority.
 - 18.2 A final Environmental Audit Report for the construction phase (non-operational component) must be submitted to the Competent Authority within three (3) months of completion of the post construction rehabilitation and monitoring requirements.
19. The Environmental Audit Report(s), must –
 - 19.1 be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
 - 19.2 provide verifiable findings, in a structured and systematic manner, on–
 - 19.2.1 the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and
 - 19.2.2 the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
 - 19.3 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 19.4 evaluate the effectiveness of the EMPr;
 - 19.5 identify shortcomings in the EMPr;
 - 19.6 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 19.7 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 19.8 indicate the date on which the maintenance/ rehabilitation was commenced with and the progress of the rehabilitation;
 - 19.9 include a photographic record of the site applicable to the audit; and
 - 19.10 be informed by the ECO reports.
- 20 The Holder must, within 7 calendar days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

- 21 Species of Conservation Concern must be rescued and translocated to an appropriately suitable habitat, before construction activities commence.
- 22 Concrete or cement mixing is not permitted within 100m of the watercourses.
- 23 A bunded area around the cement mixing area must be established in such a way that cement slurry will not run off into the surrounding environment.
- 24 Concrete works must be carefully controlled and no concrete may be spilled into the watercourses.
- 25 Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the Holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

Amendment of Environmental Authorisation and EMPr

2. If the Holder does not start with all listed activities and exceed the threshold of each listed activity within the period referred to in Section G, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

Where a validity period has been specified for operational aspects, the onus is on the Holder to ensure the activities are always undertaken in terms of a valid environmental authorisation.

If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
 - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note: An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially.

4. The manner and frequency for updating the EMPr is as follows:
- (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
 - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

Compliance with Environmental Authorisation and EMPr

6. Non-compliance with a condition of this environmental authorisation or any provision of the EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management

Act, 1998 (Act no. 107 of 1998, as amended will result in the suspension of this Environmental Authorisation.

7. This Environmental Authorisation is granted for a set period from date of issue, during which period all the listed activities must be commenced with and concluded, including the post-construction rehabilitation; monitoring requirements and environmental auditing requirements which must be concluded.
8. This Environmental Authorisation is subject to compliance with all the peremptory conditions (i.e. 8, 11 and 13). Failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.
9. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
10. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

G. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs including any Organ of State with interest in the matter; and
 - 1.3. Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:
Danie.Swanepoel@westerncape.gov.za and copied to
DEADPEIAadmin.George@westerncape.gov.za
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and

- 2.2 Submit a copy of the appeal to the holder of the decision and any registered I&AP including any Organ of State with an interest in the matter; and
- 2.3 Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:

Danie.Swanepoel@westerncape.gov.za and copied to

DEADPEIAadmin.George@westerncape.gov.za

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the Appeal Administrator at the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs
and Development Planning

Private Bag X9186

CAPE TOWN

8000

By facsimile: (021) 483 4174; or

By hand: Appeal Administrator

Attention: Mr Marius Venter (Tel: 021 483 3721)

Room 809

8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the Holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. DANIE SWANEPOEL

ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)

WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 25 APRIL 2023

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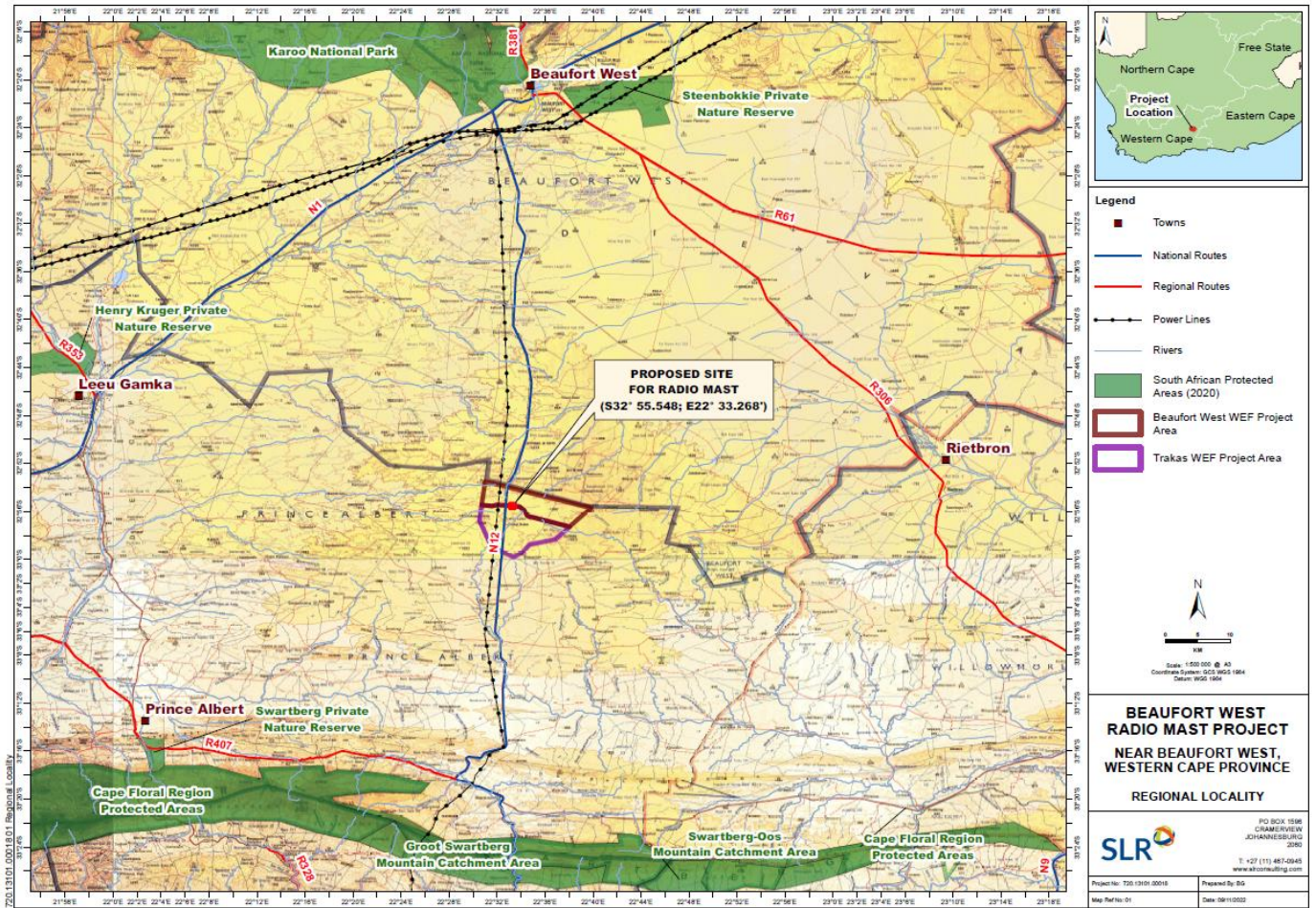
EAP: Stuart Heather-Clark

E-mail: lscottshaw@srconsulting.com

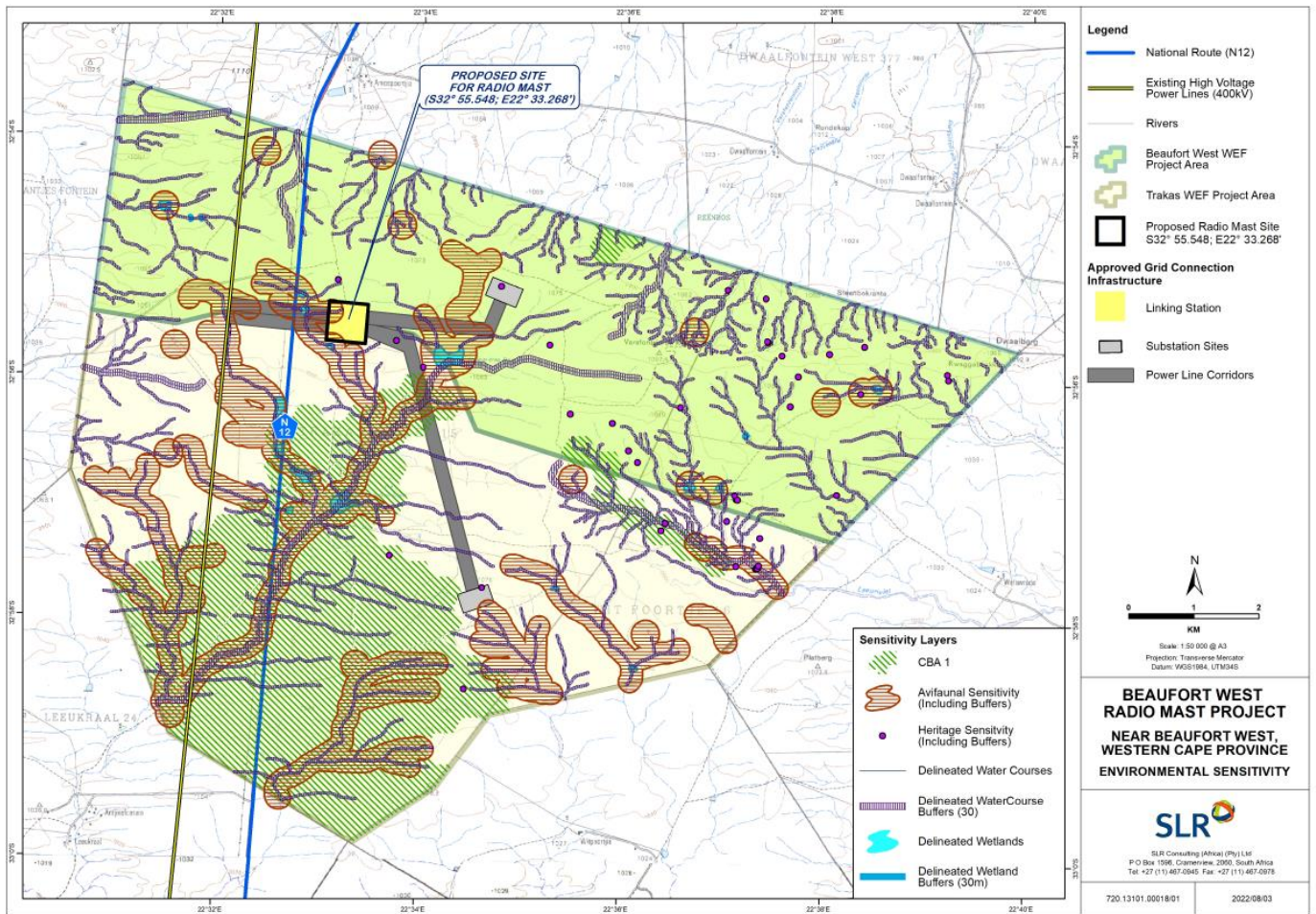
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EIA REFERENCE NUMBER: 16/3/3/1/C3/2/0032/22
NEAS REFERENCE: WCP/EIA/0001202/2022

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE SENSITIVITY LAYOUT MAP



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form received on 11 November 2022, the Final Basic Assessment Report (FBAR) and EMPr dated 06 March 2023;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the FBAR dated 06 March 2023;
- e) The balancing of negative and positive impacts and proposed mitigation measures.

This Department had sufficient information at its disposal to understand the environmental and spatial context. All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Need & Desirability

According to the FBAR the proposed telecommunication tower is required by Eskom Holdings Ltd in order for the authorised MTS to be able to communicate via radio frequency to other Eskom substations in the area. The BAR further submits that the proposed project is also viewed in a positive context due to the potential for employment creation within the local community. According to the BAR, the cumulative effect of the proposed project and other developments in the area has the potential to result in positive socio-economic opportunities for the region. The proposed project, in conjunction with the authorised Beaufort West cluster of wind developments, will also address electricity constraints within both the local and district Municipalities by generating, distributing and evacuation a continued realisable source of electricity. Improved electrification, increased electricity supply to houses and businesses and investment in renewable energy developments are strategic objectives of both the District and Local Municipality.

The FBAR further submits that the telecommunication tower will be placed on the already authorised Beaufort West (EA: 12/12/20/1784/1/AM3) and Trakas (12/12/20/1784/2/AM3) Wind farm projects. The proposed project will service the above-mentioned authorised wind farm projects. The Competent Authority is therefore of the opinion that the time and place factor of need and desirability is duly satisfied.

Integrated Development Plan (IDP)

The Prince Albert Local Municipality Integrated Development Plan ("IDP") (2017-2022) is the fourth round of strategic plans since the inception of the IDP as a planning mechanism to synchronise planning and fiscal spending across all spheres of government. A number of Strategic objectives and outcomes have been developed as part of the IDP to address the challenges identified during the IDP development process. Strategic Objective (SO) 4 includes providing quality, affordable and sustainable services on an equitable basis and states that one (1) of the challenges is that climate change will have an impact on the likelihood of disasters and the levels of readiness for man-made disasters. The consideration of alternative energy supply opportunities, which this project forms part of, has been listed as a Development Objective. A larger renewable energy development will be to the benefit of the Prince Albert Local Municipality.

Spatial Development Framework (SDF)

According to the Prince Albert Local Municipality Draft SDF (2021), climate-related impacts are not new in the Central Karoo District but are likely to be exacerbated, as well as increase in frequency and severity. Climate conditions within the municipality present an opportunity for solar energy generation projects and the use of renewable energy sources should be explored and encouraged by the municipality. The SDF (2021) also identifies renewable energy as one (1) of the regional opportunities from the SDF status quo and states that renewable energy production can be up scaled in the region and create downstream opportunities.

2. Public Participation

A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the NEMA EIA Regulations 2014 for public involvement. The public participation process included:

- a) identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- b) fixing a notice board at the proposed sites on 11 November 2022;
- c) giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 11 November 2022;
- d) making the draft BAR available for comment from 11 November 2022 until 12 December 2022;
- e) placing of a newspaper advertisement in the 'Die Courier' on 11 November 2022; and

The following Organs of State provided comment on the proposal:

- a) *Heritage Western Cape*
- b) *Eskom*
- c) *Department Agriculture, Land Reform & Rural Development*
- d) *Western Cape Department of Transport and Public Works*
- e) *Department Forestry, Fisheries and Environment*
- f) *Western Cape Department of Transport and Public Works*

- g) CapeNature
- h) Department of Water and Sanitation (DWS); and

Heritage Western Cape (HWC) stated that the matter was discussed at the Heritage Officers meeting held on 1 September 2022 and the conclusion was that there is no reason to believe that the proposed installation of one Radio Mast on authorised wind farms on Portion 1 of Trakas Kuilen 15, Prince Albert will impact on the National Heritage Resources Act (Act 25 of 1999). The Chance finds procedure to be included in the environmental authorisation.

Western Cape Department of Agriculture: Land Use Management stated that they do not have an objection towards the application.

The Directorate Biodiversity Conservation of the Department of Forestry, Fisheries and the Environment does not have any objection as the radio mast will be located on the authorised Main Transmission Substation footprint.

Western Cape Department of Transport and Public Works stated, "no objection to the issuing of an Environmental Authorisation provided that this Branch is offered the opportunity to comment on the land use application".

Cape Nature provided the following comment. "It is understood that the preferred alternative is within the substation footprint of the 33kV/132kV Main Transmission Substation (MTS) of the Beaufort West and Trakas Wind Farm projects which has already been granted Environmental Authorisation. Thus, the proposed activity must minimise, and preferably avoid, transforming CBA's. The activity must be guided by the objectives of CBAs to conserve and protect the CBAs".

The Department of Water and Sanitation stated, "This office has no comments and/or concerns nor objection to the development. The Wind Farm was authorised and no further authorisation is necessary in terms of Section 21 c and i)".

All the comments and issues raised by the respective Organs of State were captured in the Basic Assessment Report and adequately responded to by the EAP. The Competent Authority is satisfied with the responses obtained from the EAP as to how the potential issues and concerns will be addressed and the additional consultation with Organs of State.

3. Alternatives

Preferred Site Alternative (Herewith Approved):

The preferred site for the proposed development of a telecommunication tower falls within the authorised Beaufort West (12/12/20/1784/1/AM3) and Trakas (12/12/20/1784/2/AM3) Wind Farm projects. The Main Transmission Substation (MTS) footprint on Portion 1 of Farm No. 15 of

Trakaskuilen is located on the Beaufort West Cluster of wind developments, approximately 60km south of the town Beaufort West in the Prince Albert Local Municipality.

Due to the nature of the proposed project and the request from Eskom with regards to the need for the proposed telecommunication tower no other location were considered for the placement of the telecommunication tower. The placement of the tower is dependent on the location of the authorised Beaufort West and Trakas Wind Farm projects, as the proposed telecommunication tower will service the abovementioned authorised wind farm projects.

Site Alternative:

The FBAR submits that due to the nature of this application and the request from Eskom with regards to the need for the proposed telecommunication tower, no other site alternatives could be investigated. A preferred site alternative was chosen based on the location of an MTS being constructed on behalf of Eskom.

Design Alternative

According to the FBAR the preferred design alternative is the construction of a free-standing ninety-meter (90m) high lattice mast with three (3) sides / four (4) sides. Lattice Masts / Towers can be considered to resemble industrial clutter, whereas a Monopole Mast / Tower is more discreet. The principles as set out in the City of Cape Town's Draft Telecommunication Infrastructure Policy: April 2015, will be used as a guideline. The Policy states that a general rule for new freestanding telecommunication masts, a slim line monopole should be used in an urban context, while a lattice mast / tower should be used in an industrial and rural context. As the proposed development will be situated within a rural context within the Prince Albert Local Municipality, the Lattice mast / tower is considered to be the preferred design alternative.

"No-Go" Alternative

The 'No-Go' alternative is the option of not constructing the proposed Telecommunication Tower in support of the authorised Beaufort West and Trakas Wind Farm projects, and where the status quo of the current status and / or activities the site would prevail. If the project does not proceed (no-go option), then the existing electricity supply to the area as well as future economic development will be limited and compromised. In terms of the telecommunications tower, should the project not receive EA this will impede Eskom communications and hamper their operations. Mainstream are constructing an MTS and associated telecommunications tower on behalf of Eskom, as the wind farm projects are preferred bidders, and construction is projected to start on 23 September 2023. The other projects in the area are still in the development phase and might never reach construction. Eskom might thus not find another suitable site. The construction of the MTS and associated radio mast / telecommunications tower within Mainstream's wind farms is Eskom's best possible option and thus in their best interest.

4. Impact Assessment and Mitigation Measures

Various specialist studies have been done as part of the original assessments for the Beaufort West Cluster (Beaufort West 132KV – 400KV Linking Station, 132KV Power Line and onsite 132KV Substation – 14/12/16/3/3/2/925/1 and Trakas 132KV – 400KV Linkin Station 132KV Power Line and onsite 132KV Substation – 14/12/16/3/3/2/925/2), which is already authorised. These specialist assessments were considered with updated comment by the respective specialists.

4.1 Agriculture Impacts

According to the FBAR the impact of the proposed development on agriculture is very low. An Agriculture Compliance Statement was required to indicate whether or not the proposed development will have an unacceptable impact on the agriculture production capability of the site and has been included as additional requirements. According to the specialist, an agricultural impact is a change to the future production potential of land. The significance of this impact was assessed as being zero loss of future production potential as result of this development. The site has “very low” agricultural production. This Directorate is in agreement that the site effectively has zero future agricultural production potential, because there is an approved substation on the site which will prevent agricultural use of the land, regardless of the proposed development.

4.2 Aquatic Impacts

The proposed telecommunication tower area have previously been assessed as part of the approved developments; the specialist has undertaken an SSVR report. No wetlands were found within the proposed development area, only riverine features such as alluvial watercourses and with limited riparian vegetation dominated by *Vachellia karroo*, *Searsia lancea*, *Euclea undulata*, *Gymnosporia buxifolia*, *Erianthus capensis*, *Sporobolus fimbriatus*, *Cynodon incompletes*, *Eragrotis curvula*, *Erharta calcynia*, *Merxmuella disticha* and *Cynodon dactylon* are found near the proposed radio mast footprint.

4.3 Terrestrial Impacts

The proposed site for the radio mast have previously been assessed as part of the approved developments, a specialist compliance statement was found to be required and as such the SSVR has been appended to the previous specialist assessment undertaken in the area and considered adequate for this assessment. This Directorate is in agreement that the main conclusion of this site sensitivity verification report is that the Karoo Dwarf Tortoise does not occur within either of the respective proposed development nodes of the Beaufort West Cluster of Wind Farms and thus being intrinsically linked, the radio mast site too. This conclusion is based primarily on (1) the absence of suitable or optimal habitat for this species, (2) the absence of evidence of live or dead specimens during the field survey, (3) the absence of observations by two tortoise experts that have worked in the general region, and (4) the absence of observation by the landowner. However, loss of habitat within this footprint area has therefore already been granted Environmental Authorisation.

4.4 Avifaunal Impacts

The proposal was considered in light of the previous assessment of the 132kV grid connection and associated infrastructure (Chris van Rooyen Consulting November 2021), and the findings was that the proposed project will not change the nature or significance of any of the impacts assessed in any significant manner. The proposed changes are not likely to result in any additional impacts that were not previously assessed. There was no additional management outcomes or mitigation measures in terms of avifaunal impacts that would be applicable to the proposed changes. This Directorate does agree with the impact significance rating of “low” and “very low”.

4.5 Heritage Impacts

The FBAR submits that the majority of the proposed telecommunication tower site have been assessed as part of the approved developments, a specialist SSVR is justified and considered adequate for this assessment. Heritage Western Cape stated that “there is no reason to believe that the proposed installation of one Radio Mast on the authorised wind farm of Portion 1 of Trakas Kuilen 15, Prince Alberts will impact on any Heritage Resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is therefore required.

4.6 Paleontological Impacts

The Geology of the authorised development as well as the proposed Beaufort West radio mast development is the same. The overall impact rating reflected in the Palaeontological Impact Assessment report for the authorised Beaufort West 132KV – 400KV Linking Station, 132KV Power Line and onsite 132KV Substation 14/12/16/3/3/2/925 and Trakas 132KV – 400KV Linking Station, 132KV Power Line and onsite 132KV Substation – 14/12/16/3/3/2/925/2 is the same and will not change as a result of the development of the Telecommunication Tower.

4.6 Other Impacts

No other impacts of significance are anticipated for the area that has been authorised in this Environmental Authorisation.

5. **Scope and Validity Period of authorisation**

The environmental authorisation has been granted for a period of five (5) years, during which period the construction (non-operational) phase must commence and be concluded. The final environmental audit must be submitted to the Competent Authority within three (3) months of completion of the post construction rehabilitation and monitoring requirements, and within the validity period of the environmental authorisation. Where the activity has been commenced with, the EIA Regulations, 2014 allow that (upon application) the period for which the environmental authorisation is granted may be extended for a further period of 5-years.

6. **National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- a) the effects of decisions on all aspects of the environment to be taken into account;
- b) the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- c) the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- d) the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- e) the selection of the best practicable environmental option.

7. Conclusion

After consideration of the information and factors listed above, the Competent Authority made the following findings:

- (a) The identification and assessment of impacts in the FBAR dated 06 March 2023 is deemed sufficient with regards to the assessment of the key identified issues and impacts.
- (b) The procedure followed for the impact assessment is adequate for the decision-making process.
- (c) The proposed mitigation of impacts identified and assessed, curtails the identified negative impacts.
- (d) The proposed mitigation measures in the EMPr for the pre-construction, construction and rehabilitation phases of the development is considered adequate.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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