


- 2.1 Section 21 (a) of the Act: Taking water from a water resource; subject to the conditions as set out in Appendices I and II
- 2.2 Section 21 (c) of the Act: Impeding or diverting the flow of water in a watercourse; subject to the conditions as set out in Appendices I and III
- 2.3 Section 21 (g) of the Act: Disposing of waste in a manner which may detrimentally impact on a water resource; subject to conditions as set out in Appendices I and IV.
- 2.2 Section 21 (i) of the Act: Altering the bed, banks, course or characteristics of a watercourse; subject to the conditions set out in Appendices I and III.

2. Water uses

1. Licensee: Gibson Bay Wind Farm (Pty) Ltd: Gibson Bay Wind Farm
 Postal Address: P.O. Box 651285 Benmore 2010

LICENCE NUMBER: 12/K80E/ACGI/2626
 FILE NUMBER: 27/2/2/K580/2

SIGNED: 
 DATE: 18/11/2014

I, Portia Makhanya, in my capacity as Chief Director: Eastern Cape in the Department of Water and Sanitation, hereby authorise the amendment of the licence 12/K80E/ACGI/2626 dated 22 August 2014, in terms of section 50(1) of the National Water Act 36 of 1998.

AMENDMENT TO A LICENCE IN TERMS OF SECTION 50(1) OF CHAPTER 4 OF THE NATIONAL WATER ACT 36 OF 1998

Private Bag X 7485, King Williams Town, 5600, 2 Hargreaves Avenue, King Williams Town, Tel: (043) 604 5400 Fax: (043) 604 5587

Department: Water and Sanitation
 REPUBLIC OF SOUTH AFRICA



Water & sanitation

3. Properties on which the water use will be exercised
 - 3.1 Portion 0 of Farm Langekloof 724
 - 3.2 Portion 2 of Farm Driefontein 718
 - 3.3 Portions 5, 11, Remainder of Portion 2 & Remainder of Portion 6 of Farm Lange Fontein 717
 - 3.4 Portions 10 & 11 of Farm Klippe Drift 722
4. This is an addendum to licence no. 12/K80E/ACGI/2626 issued on the 22 August 2014. The licence amendment is for the change of address and substitution of conditions of water uses as applied for by the licensee under Appendices III & IV. The principal licence is valid for a period of twenty (20) years from the date of issuance and may be reviewed every (5) years.
5. Substitution of condition 1 of the principle licence
The Postal Address: P.O. Box 2005
EDENVALE
1610
is hereby substituted with the following postal address
P.O. Box 651285
Benmore
2010
6. Substitution to Appendix II of the principal licence
Condition 6.6 Water samples should be collected and submitted to an accredited laboratory for chemical analysis on a monthly basis is hereby substituted with the following condition.
Condition 6.6 Water samples should be collected and submitted to an accredited laboratory for chemical analysis on a quarterly basis as per the requirements listed in Table 6 subsection 2.4 on page 23 of 25.
7. Substitution to Appendix III of the principal licence
Condition 3.2.5 Structures must not be damaged by floods exceeding the magnitude of floods occurring on average once in every 100 years is hereby substituted with the following condition.
Condition 3.2.5 Road crossing structures must be robust enough to withstand the 1:100 year flood.
8. Substitution to Appendix III of the principal licence
Condition 3.3.20 The Licensee has to indicate to the Provincial Head within sixty (60) days after issuance of this licence, the strategic placement of bio-swale, bio-filters, silt, litter and hydrocarbon (oil) traps to minimise the risk of pollutants entering the natural drainage system of the area is hereby substituted with the following condition.
Condition 3.3.20 The Licensee has to indicate to the Provincial Head at least 2 (two) calendar weeks prior to the commencement of works in the relevant areas, the strategic placement of bio-swale, bio-filters, silt, litter and hydrocarbon (oil) traps or similar to minimise the risk of pollutants entering the natural drainage system of the area.

18/11/14

9. Substitution to Appendix III of the principal licence

Condition 3.5.2 When undertaking biodiversity assessments, prior to the onset of construction, the edge/boundary of a wetland on site must be clearly demarcated in the field with poles, sticks, or any solid structure that will last for the duration of the development. These indicators must be coloured as follows: red-indicating the edge / boundary of the wetland orange – indicating the edge of the buffer zone is hereby substituted with the following condition.

Condition 3.5.2 When undertaking the biodiversity assessments, prior to the onset of construction, the edge/boundary of a wetland on site must be clearly demarcated in the field with poles, sticks, or any solid structure that will last for the duration of the development. These indicators must be coloured as follows: red-indicating the edge / boundary of the wetland orange – indicating the edge of the buffer zone.

10. Substitution to Appendix IV of the principal licence

Condition 2.3 The Licensee must monitor all groundwater monitoring points as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774) is hereby substituted with the following condition.

Condition 2.3 The Licensee must monitor both boreholes as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774).

11. Substitution to Appendix IV of the principal licence

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the Lilliput system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise is hereby substituted with the following condition.

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the sewage containment system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise.

(END OF ADDENDUM)

18/11/2014



P/Bag X6041 Port Elizabeth 6000	☎ 041 501 0702	Enquiries: Mr. J. Jacobs
E-mail : jacobs@dwa.gov.za	Fax : 086 547 2500	Ref: 12/K80E/ACGI/2626

Chief Director: Eastern Cape
 Department of Water and Sanitation
 Private Bag X 7485
 KING WILLIAMS TOWN
 5600

Attention: Ms Portia Makhanya

Dear Madam

AMENDMENT OF LICENCE 12/K80E/ACGI/2626 DATED 22 AUGUST 2014 IN TERMS OF SECTION 50(1) OF THE NATIONAL WATER ACT: GIBSON BAY WIND FARM (PTY) LTD: EASTERN CAPE

1. The aforementioned licence dated 22 August 2014 refers.
2. This licence was issued in terms of Section 40 of the National Water Act 36 of 1998 to Gibson Bay Wind Farm project for Section 21 (a), (c), (g) & (i) and it authorised the licensee to abstract water from boreholes, disposal of domestic waste, construction of access roads, erection of wind turbines and installation of underground electric cables across Tsitsikamma & Klipdrift River Tributaries within 500m radius from the boundary of wetlands located in Oyster Bay. The project and its associated activities are located in Quaternary Catchments K80E & K80F in Mzimvubu to Tsitsikamma Water Management Area.
3. The licensee have requested that the postal address be changed with the substitution of the following conditions of the principle licence:

3.1 Substitution of condition 1 of the principle licence

The Postal Address: P. O. Box 2005
 EDENVALE
 1610
 is hereby substituted with the following postal address

P. O. Box 651285
 Benmore
 2010

Handwritten signature/initials

18/12/14
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Condition 2.3 The Licensee must monitor both boreholes as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774).

Condition 2.3 The Licensee must monitor all groundwater monitoring points as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774) is hereby substituted with the following condition.

3.6 Substitution to Appendix IV of the principal licence

Condition 3.5.2 When undertaking the biodiversity assessments, prior to the onset of construction, the edge/boundary of a wetland on site must be clearly demarcated in the field with poles, sticks, or any solid structure that will last for the duration of the development. These indicators must be coloured as follows: red-indicating the edge / boundary of the wetland orange – indicating the edge of the buffer zone.

Condition 3.5.2 When undertaking biodiversity assessments, prior to the onset of construction, the edge/boundary of a wetland on site must be clearly demarcated in the field with poles, sticks, or any solid structure that will last for the duration of the development. These indicators must be coloured as follows: red-indicating the edge / boundary of the wetland orange – indicating the edge of the buffer zone is hereby substituted with the following condition.

3.5 Substitution to Appendix III of the principal licence

Condition 3.3.20 The Licensee has to indicate to the Provincial Head at least 2 (two) calendar weeks prior to the commencement of works in the relevant areas, the strategic placement of bio-swale, bio-filters, silt, litter and hydrocarbon (oil) traps or similar to minimise the risk of pollutants entering the natural drainage system of the area.

Condition 3.3.20 The Licensee has to indicate to the Provincial Head within sixty (60) days after issuance of this licence, the strategic placement of bio-swale, bio-filters, silt, litter and hydrocarbon (oil) traps to minimise the risk of pollutants entering the natural drainage system of the area is hereby substituted with the following condition.

3.4 Substitution to Appendix III of the principal licence

Condition 3.2.5 Road crossing structures must be robust enough to withstand the 1:100 year flood.

Condition 3.2.5 Structures must not be damaged by floods exceeding the magnitude of floods occurring on average once in every 100 years is hereby substituted with the following condition.

3.3 Substitution to Appendix III of the principal licence

Condition 6.6. Water samples should be collected and submitted to an accredited laboratory on a quarterly basis for chemical analysis as per the requirements listed in Table 6 subsection 2.4 on page 23 of 25.

Condition 6.6 Water samples should be collected and submitted to an accredited laboratory for chemical analysis on a monthly basis is hereby substituted with the following condition.

3.2 Substitution to Appendix II of the principal licence

3.7 Substitution to Appendix IV of the principal licence

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the Lilliput system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise is hereby substituted with the following condition.

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the sewage containment system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise.

4. Attached is a copy of the request from the licensee for the change of postal address and substitution of conditions of the principle water use licence.

5. Section 50(1) of the Act, inter alia, determines that a responsible authority may amend or substitute a licence condition –

5.1. if the licensee or successor-in-title has consented to or requested the amendment or substitution
5.2. to reflect one or more successors-in-title as new licensees and
5.3. to change the description of the property to which the licence applies, if the property described in the licence has been subdivided or consolidated with other property.

6. In view of the aforementioned it is recommended that you approve the amendment of the issued licence for the installation of a Reference Meteorological Mast within 500m radius from the boundary of a wetland.

P.L. Lubelwana

DIRECTOR: INSTITUTIONAL ESTABLISHMENT

DATE : 12/11/2014

Noted
12/11/14

Condition 6.6. Water samples should be collected and submitted to an accredited laboratory on a quarterly basis for chemical analysis as per the requirements listed in Table 6 subsection 2.4 on page 23 of 25.

Condition 6.6 Water samples should be collected and submitted to an accredited laboratory for chemical analysis on a monthly basis is hereby substituted with the following condition.

2.2 Substitution to Appendix II of the principal licence

P.O. Box 651285
Benmore
2010

is hereby substituted with the following postal address

1610
EDENVALE
P.O. Box 2005

The Postal Address:

2.1 Substitution of condition 1 of the principle licence

2. It is noted that certain amendments needs to be done in the above-mentioned licence. The change will pertain to the following section:

1. Your licence under reference 15/K80E/ACGI/2626 dated 22 August 2014 refers.

AMENDMENT OF LICENCE 15/K80E/ACGI/2626 DATED 22 AUGUST 2014 IN TERMS OF SECTION 50(1) OF THE NATIONAL WATER ACT: GIBSON BAY WIND FARM (PTY) LTD: EASTERN CAPE

Dear Sir

Attention: Mr. J. Schmidt

Gibson Bay Wind Farm (Pty) Ltd
P.O. Box 651285
BENMORE
2010

P/Bag X6041, Port Elizabeth, 6000
Enquiries: Mr. J. Jacobs
E-mail : jjacobs@dwa.gov.za
Fax : 086 547 2500
Ref: 2712/2/K580/2

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA
water & sanitation



Handwritten signature or initials.

Condition 2.3 The Licensee must monitor both boreholes as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774).

Condition 2.3 The Licensee must monitor all groundwater monitoring points as provided for in the GBWF Hydrogeological Investigation Report compiled by SRK Consultant (South Africa (Pty) Ltd dated 04/2014 (SRK Project Number 473774) is hereby substituted with the following condition.

2.6 Substitution to Appendix IV of the principal licence

Condition 3.5.2 When undertaking the biodiversity assessments, prior to the onset of construction, the edge/boundary of a wetland on site must be clearly demarcated in the field with poles, sticks, or any solid structure that will last for the duration of the development. These indicators must be coloured as follows: red-indicating the edge / boundary of the wetland and orange – indicating the edge of the buffer zone.

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Condition 3.3.20 The Licensee has to indicate to the Provincial Head within sixty (60) days after issuance of this licence, the strategic placement of bio-swale, bio-filters, silt, litter and hydrocarbon (oil) traps to minimise the risk of pollutants entering the natural drainage system of the area is hereby substituted with the following condition.

2.4 Substitution to Appendix III of the principal licence

Condition 3.2.5 Road crossing structures must be robust enough to withstand the 1:100 year flood.

Condition 3.2.5 Structures must not be damaged by floods exceeding the magnitude of floods occurring on average once in every 100 years is hereby substituted with the following condition.

2.3 Substitution to Appendix III of the principal licence

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2.7 Substitution to Appendix IV of the principal licence

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the Lilliput system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise.

Condition 7.1 The Licensee must conduct and annual internal audit on compliance with the conditions of this licence as well as the capacity, operation and maintenance of the sewage containment system. A report on the audit must be submitted to the Regional Director within one month of finalisation of the report, and must be made available to an external auditor should the need arise.

3.

Should you have any enquiries, please contact the Eastern Cape Regional office at the following address:

P/Bag X6041
Port Elizabeth
6000

Yours faithfully,

CHIEF DIRECTOR: EASTERN CAPE
DATE: