



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/2/2190

Enquiries: Ms Azrah Essop

Telephone: (012) 399 8529 **E-mail:** AEssop@dfpe.gov.za

Mr Alan Wolfrohm.
Soutrivier North Wind Energy Facility RF (Pty) Ltd
PO BOX 762
WILDERNESS
6560

Tel number: 066 307 3804
Email Address: mrwolf@wkn-windcurrent.com
jasper@wkn-windcurrent.com

PER E-MAIL

Dear Mr Wolfrohm

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE UP TO 270MW SOUTRIVIER NORTH WIND ENERGY FACILITY (WEF), BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE NEAR VICTORIA WEST WITHIN THE UBUNTU LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

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

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within twenty (20) days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

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

By email: appeals@dfef.gov.za

By hand: Environment House
473 Steve Biko Road
Arcadia
PRETORIA
0083

By post: Private Bag X447
PRETORIA
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at <https://www.dffe.gov.za/documents/forms#legal> authorisations or request a copy of the documents at appeals@dfef.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 14/02/2023

Cc:	Mr Leon October	Northern Cape: DAERDLF	Email: lOctober@ncpg.gov.za
	Ms Nonceba Mkontwana	Ubuntu Local Municipality	Email: nmkontwana@ubuntu.gov.za
	Ms Caroline Evans	Coastal and Environmental Services (Pty) Ltd.	Email: c.evans@cesnet.co.za
		Coastal and Environmental Services (Pty) Ltd.	Email: a.carter@cesnet.co.za



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The up to 270MW Soutrivier North Wind Energy Facility (WEF), Battery Energy Storage System (BESS) and associated infrastructure near Victoria West within the Ubuntu Local Municipality in the Northern Cape Province

Pixley Ka Seme District Municipality

Authorisation register number:	14/12/16/3/3/2/2190
Last amended:	First issue
Holder of authorisation:	Soutrivier North Wind Energy Facility RF (Pty) Ltd
Location of activity:	Within Ward 5 and Ward 6 on Farm 158, Portion 3; Farm 158, Portion 6; Farm 199, Remaining Extent (RE); Farm 199, Portion 2; and Farm 261, near Victoria West and Loxton towns, Ubuntu Local Municipality within the Northern Cape Province:

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.

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Decision

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

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

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

Activities authorised

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

SOUTRIVIER NORTH WIND ENERGY FACILITY RF (PTY) LTD.

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

with the following contact details –

Mr Alan Wolfromm

Soutrivier North Wind Energy Facility RF (Pty) Ltd.

PO BOX 762

WILDERNESS

6560

Tel number: 066 307 3804

Email address: mrwolf@wkn-windcurrent.com

jasper@wkn-windcurrent.com

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u></p> <p>The development of facilities or infrastructure for the transmission and distribution of electricity-</p> <p>(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>33kV underground (where possible) electrical cables will be laid to transmit electricity generated by the wind turbines to the 132kV IPP onsite switching station (IPSS).</p>
<p><u>Listing Notice 1, Item 12:</u></p> <p>The development of-</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square meters or more,</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p>	<p>This relates to the proposed turbine footprints, cabling routes, internal roads, substation, laydown areas, construction compound area, BESS and other ancillary infrastructure and operation and maintenance buildings which will be constructed within 32m of watercourse. The final siting of this infrastructure will be refined throughout the process.</p>
<p><u>Listing Notice 1, Item 19:</u></p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil sand, shells, shell grit, pebbles or rock of more than 10 cubic meters from a watercourse.</p>	<p>This relates specifically to the road and cable crossings that may be required during internal road construction and cable installation. The siting of the roads and cable routes will be refined throughout the EIA process of the proposed WEF.</p>
<p><u>Listing Notice 1, Activity 24:</u></p> <p>The development of a road-</p> <p>(ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters.</p>	<p>The road network will need to be developed and upgraded (using all technically feasible existing farm roads where possible) to ensure that the delivery of turbine parts is possible and that maintenance teams are able to access each individual turbine throughout the lifespan of the project. Roads will be 14m wide during the construction phase and will be rehabilitated to have a final operational footprint of 8m.</p>

<p><u>Listing Notice 1, Item 28:</u></p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</p>	<p>The proposed development will entail the rezoning of land from agriculture to special industrial for the placement of the wind energy facility components. The total footprint of the proposed WEF will be up to 75ha in extent (operational phase).</p>
<p><u>Listing Notice 1, Item 56:</u></p> <p>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres.</p>	<p>The road network will need to be developed and upgraded (using all technically feasible existing farm roads where possible) to ensure that the delivery of turbine parts is possible and that maintenance teams are able to access each individual turbine throughout the lifespan of the project. Roads will be 14m wide during the construction phase and will be rehabilitated to have a final operational footprint of 8m.</p>
<p>Listing Notice 2</p>	
<p><u>Listing Notice 2, Item 1:</u></p> <p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</p>	<p>The proposed WEF will include the construction of up to 31 turbines with a maximum output capacity of up to 270MW.</p>
<p><u>Listing Notice 2, Item 4:</u></p> <p>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic meters.</p>	<p>Volumes of other chemicals may be stored during construction (including diesel and petrol) which may trigger this activity. The final layout, in terms of WEF ancillary facilities, will determine the volumes needed on site, but at this stage a rough estimate can be calculated as follows: the construction period is expected to last for approximately 24 months, during this time approximately 175m³ of chemicals which can be classified as dangerous goods will be used. The operational phase is expected to last up to 25 years and</p>

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	<p>will require approximately 200m³ of chemicals which can be classified as dangerous goods. This equates to a total of approximately 375m³ of dangerous goods for the lifespan of the proposed WEF.</p>
<p><u>Listing Notice 2, Item 15:</u> The clearance of an area of 20 hectares or more of indigenous vegetation.</p>	<p>The proposed development will include the clearing of indigenous vegetation. The total footprint of the proposed WEF will be approximately 122ha in extent (construction phase) and 75ha in extent (operational phase).</p>
<p>Listing Notice 3</p>	
<p><u>Listing Notice 3, Item 4:</u> The development of a road wider than 4 metres with a reserve less than 13,5 metres g. <u>Northern Cape</u> ii. Outside urban areas: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>The proposed roads will be wider than 4m (14m construction phase, rehabilitated to 8m operational phase). The WEF contains CBA 1 and CBA 2 areas as defined in the Northern Cape Critical Biodiversity Areas Technical Report (2016).</p>
<p><u>Listing Notice 3, Item 14:</u> The development of- (ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs, (a) within a watercourse; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; g. <u>Northern Cape</u> ii. Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>This relates to the proposed cabling routes and internal roads which may be constructed within a watercourse. The combined physical footprint at the various watercourse crossings may exceed 10 square metres. The WEF contains CBA 1 and CBA 2 areas as defined in the Northern Cape Critical Biodiversity Areas Technical Report (2016).</p>

<p><u>Listing Notice 3, Item 18:</u></p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>g. Northern Cape,</p> <p>ii. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p>	<p>The proposed roads will be widened by more than 4m and lengthened by more than 1 kilometre in some areas (14m construction phase, rehabilitated to 8m operational phase). The WEF contains CBA 1 and CBA 2 areas as defined in the Northern Cape Critical Biodiversity Areas Technical Report (2016).</p>
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as described in the final Environmental Impact Assessment Report (EIAR) dated March 2023 at:

Soutrivier North WEF Properties:

SG DIGIT NUMBER	FARM NUMBER/PORCION
C08000000000026100000	261
C08000000000019900000	RE/199
C08000000000019900002	2/199
C08000000000015800003	3/158
C08000000000015800006	6/158

Soutrivier North WEF Coordinates:		
Points	Latitude	Longitude
Point 1	31°30'08.66"S	22°36'40.74"E
Point 2	31°27'28.65"S	22°38'13.27"E
Point 3	31°31'10.63"S	22°44'03.67"E
Point 4	31°32'47.11"S	22°42'46.08"E
Point 5	31°32'28.71"S	22°46'30.97"E
Point 6	31°31'00.70"S	22°47'14.05"E
Point 7	31°34'18.68"S	22°45'35.10"E
Point 8	31°33'45.37"S	22°39'40.67"E

- for the construction of the Soutrivier North Wind Energy Facility within the Ubuntu Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The Soutrivier North WEF will comprise the following:

- Up to 31 turbines with a maximum nominal power output of up to 270MW;
- Turbines with a hub height of up to 200m, a rotor diameter of up to 240m, blade length of up to 120m, and a total tip height of up to 320m;
- Permanent laydown areas adjacent to each wind turbine (up to 3 000m²);
- Temporary laydown areas adjacent to each wind turbine (up to 3 000m²);
- Foundations (up to 900m²) for each wind turbine;
- IPP Substation (SS) of up to 3ha (inclusive of a 33/132kV SS, offices and parking and a permanent SS laydown area);
- Temporary laydown area, CTMF and CC of up to 10ha;
- BESS of up to 10ha (*temporary laydown area, CTMF and CC area will be converted to the BESS facility post-construction phase*);
- Medium voltage cabling between turbines and the switching stations, to be laid underground where technically feasible; and
- Internal access roads of up 31km constructed at up to 14m wide (construction phase), rehabilitated to 8m wide (operational phase). Existing roads will be used as far as possible. However, where required, internal access roads will be constructed between the turbines.

Conditions of this Environmental Authorisation

Scope of authorisation

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

Notification of authorisation and right to appeal.

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

Commencement of the activity

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

Management of the activity

12. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure (if any) must be used as far as possible e.g., roads. The layout map must indicate the following:
 - 12.1. Cable routes (where they are not along internal roads);
 - 12.2. Position of wind turbines and associated infrastructure;
 - 12.3. Internal roads indicating width;
 - 12.4. Wetlands, drainage lines, rivers, stream and water crossing of roads.
 - 12.5. All sensitive features heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 12.6. IPP Substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 12.7. All existing infrastructure on the site, such as roads;
 - 12.8. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 12.9. Buildings, including accommodation; offices and parking and a permanent SS laydown area).
 - 12.10. All "no-go" and buffer areas.
13. The Environmental Management Programme (EMPr) submitted as part of the EIAr is **not approved** and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
14. The EMPr amendment must include the following:
 - 14.1. The requirements and conditions of this authorisation.
 - 14.2. All recommendations and mitigation measures recorded in the EIAr.
 - 14.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 14.4. The final site layout map.

- 14.5. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
- 14.6. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
- 14.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- 14.8. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g., limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
- 14.9. A construction and operational avifauna and bat monitoring plan.
- 14.10. A Biodiversity Management Plan (BMP) as per the requirements of the specialists.
- 14.11. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
- 14.12. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
- 14.13. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- 14.14. A fire management plan to be implemented during the construction and operational phases.
- 14.15. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.

- 14.16. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- 14.17. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAr and this authorisation.
15. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.

Frequency and process of updating the EMPr.

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure

plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

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

Recording and reporting to the Department

24. All documentation e.g., audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e., within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the

audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.

29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities.

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

Operation of the activity

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

Site closure and decommissioning

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

Specific conditions

33. An ecological and faunal walk-through (micro-siting) must be conducted prior to construction to identify species requiring permits for their removal, which permits must be obtained from the relevant authority.
34. Before the clearing of the site, the appropriate permits must be obtained from the relevant Department for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
35. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.
36. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

37. Post-construction / operational bat monitoring must be performed according to the South African Good Practise Guidelines for Operational Monitoring for Bats at Wind Energy Facilities (Aronson et al, 2014) or later version valid at the time of monitoring. Monitoring must be done for the initial 2 years, thereafter, the frequency must be informed by the specialist conducting the operational monitoring.

Turbines position

38. Up to 31 wind turbines are approved.
39. The final placement of turbines must follow a micro siting procedure involving a walk-through and identification of any sensitive areas by ecological, avifaunal, bat, surface water and heritage specialists.
40. Exclusion of sensitive ecological, avifaunal, bat, surface water and heritage areas from construction activities must inform micro siting of all development activities.
41. Should any occupied buildings be affected by shadow flicker, the holder of this Environmental Authorisation must provide mitigation measures to reduce the impact to an acceptable level as advised by a suitably qualified specialist.

Avifauna and bats

42. Construction activities near roosts which include buildings, trees and rocky crevices must be avoided.
43. If any priority species are confirmed to be breeding (e.g., if a nest site is found), construction activities within 500m of the breeding site must cease, and the avifaunal specialist must be contacted immediately for further assessment of the situation and instruction on how to proceed.
44. No turbines must be constructed in no-go areas, while associated infrastructure (roads, and substations) must be avoided where possible in these areas.
45. A construction and operational avifauna and bat monitoring plan must be developed and implemented according to the latest BirdLife South Africa/Endangered Wildlife Trust: Best practice guidelines for avian monitoring and impact mitigation at proposed wind energy development sites in Southern Africa and the latest South African Bat Assessment Advisory Panel's (SABAAP) guidelines.
46. Should operationally monitoring show that adjusted annual bat fatalities (adjusted for biases such as searcher efficiency and carcass persistence) ever equal or exceed the threshold level of fatalities guided by SABAAP then mitigation actions will only be required at specific turbines that have killed 2 or more bats of the particular bat species that has exceeded the fatality threshold for the previous year of monitoring. Such actions at the individual turbines include increasing the cut-in wind speed to 6m/s (only exposing 40% of bat activity to spinning blades).
47. The results of the pre-construction bird and bat monitoring assessments including all recommendations proposed by the reports, must inform the final layout and the construction schedule of the facility.

48. The facility must be designed in a manner that prevents infrastructure components from being used as perching or roosting substrates by birds and bats, as such is prohibited.
49. The holder of this Environmental Authorisation must restrict the construction activities to the footprint area.

Vegetation, wetlands and water resources

50. An aquatic specialist must conduct an in-depth site walkover prior to the construction phase commencing, after the proposed construction footprint has been confirmed and demarcated. This is to assess the footprint for any freshwater habitats, allowing for slight alterations in the footprint, to prevent any impacts on the freshwater habitats due to the actions conducted during the construction phase.
51. Relevant permits must be obtained from relevant authorities for any removal or destruction of Threatened or Protected Species (TOPs).
52. No exotic plants must be used for rehabilitation purposes; only indigenous plants of the area must be utilised.
53. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
54. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
55. Contractors and construction workers must be clearly informed of the no-go areas.
56. The final development area should be surveyed for species suitable for search and rescue, which should be trans-located prior to the commencement of construction.
57. Workers must be made aware of the importance of not destroying or damaging the vegetation along rivers and wetland areas and this awareness must be promoted throughout the construction phase.
58. Freshwater ecosystems located in close proximity to the construction areas must be inspected on a regular basis (but especially after rainfall) by the ECO for signs of disturbance, sedimentation and pollution from construction activities. If signs of disturbance, sedimentation or pollution are noted, immediate action must be taken to remedy the situation and, if necessary, a freshwater ecologist must be consulted for advice on the most suitable remediation measures.

Roads and transportation

59. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuters, consideration must be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
60. Signage must be erected at appropriate points warning of turning traffic and the construction site.

61. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.
62. Roads must be designed such that changes to surface water runoff are avoided and erosion is not initiated.
63. All construction vehicles must adhere to a low-speed limit to avoid collisions with susceptible species such as snakes and tortoises.

Noise

64. Routine noise measurements must be conducted during the operation of the facility and a complaints register must be opened and made available to affected parties and to the Department on request.
65. The holder of this authorisation must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA wear ear protection equipment.
66. The holder of this authorisation must ensure that all equipment and machinery are well maintained and equipped with silencers.
67. The holder of this authorisation must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and measures to limit noise from the work site are implemented.

Visual resources

68. The holder of this authorisation must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
69. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.
70. Lighting of main structures (turbines) and ancillary buildings must be designed to minimise light pollution without compromising safety, and turbines must be lit according to Civil Aviation Regulations.
71. Signage on or near wind turbines must be avoided unless they serve to inform the public about wind turbines and their function.

Human health and safety

72. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, rights-of-way and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
 73. Potential interference with public safety communication systems (e.g., radio traffic related to emergency activities) must be avoided.
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74. The holder of this authorisation must obtain approval from the South Africa Civil Aviation Authority that the wind facility will not interfere with the performance of aerodrome radio Communication, Navigation and Surveillance (CNS) equipment, especially the radar, prior to commencement of the activity. A copy of the approval must be kept on site by the ECO.
75. The holder of this authorisation must ensure that the operation of the wind facility complies with the relevant communication regulations or guidelines relating to electromagnetic interference, e.g., microwave, radio and television transmissions.
76. The holder of this authorisation must obtain approval from the South Africa Weather Services (Weather SA) that the energy facility will not interfere with the performance of their equipment, especially radar, prior to commencement of the activity. A copy of the approval must be kept on site by the ECO.
77. The holder of this authorisation must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
78. No unsupervised open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

79. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
 80. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
 81. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved waste landfill site licensed to accept such waste.
 82. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and this must all be located within areas of low environmental sensitivity.
 83. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
 84. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
 85. Temporary bunds must be constructed around chemical storage to contain possible spills.
 86. Spill kits must be made available on-site for the clean-up of spills.
 87. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate.
 88. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
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89. The holder of this authorisation must provide sanitation facilities within the construction camps and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste disposal site.
90. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2014 as amended.

Excavation and blasting activities.

91. Internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
92. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
93. Borrow materials must be obtained only from authorised and permitted sites. Permits must be kept on site by the ECO.
94. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

95. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
96. Appropriate dust suppression techniques must be implemented on all exposed surfaces during periods of high wind. Such measures may include wet suppression, chemical stabilisation, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.

Historical / cultural / paleontological resources

97. Should construction activities be within 100 metres from archaeological sites and historical sites, the sites must be demarcated and fenced off.
98. Construction managers/foremen must be informed before construction starts of the possible types of heritage sites and cultural material that may be encountered and the procedures to follow when they find sites.

General

99. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 99.1. at the site of the authorised activity;
 - 99.2. to anyone on request; and
 - 99.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
100. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 14/06/2023



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision.

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

- a) The listed activities as applied for in the application form received on 10 August 2022.
- b) The information contained in the EIAR dated March 2023.
- c) The comments received from SAHRA, the South African Astronomical Observatory and interested and affected parties as included in the EIAR dated March 2023.
- d) Mitigation measures as proposed in the EIAR.
- e) The information contained in the specialist studies contained within the appendices of the EIAR dated March 2023 and as appears below:

Title	Prepared by	Date
Socio-Economic Impact Assessment Report	INDEX Social Consulting Services	5 January 2023
Visual Impact Assessment	Nuleaf Planning and Environmental (Pty) Ltd	October 2022.
Wake impact study	Harmattan (Pty) Ltd	18 January 2023.
Agricultural Compliance Statement	Johann Lanz-Soil Scientist (Pr.Sci.Nat.)	19 January 2023.
Freshwater Impact Assessment	FEN Consulting (Pty) Ltd	October 2022.
Avifauna Impact Assessment	WildSkies Ecological Services	October 2022.
Bats Impact Assessment	Camissa Sustainability Consulting	October 2022.
Terrestrial Biodiversity Assessment	Jamie Pote (Pr. Sci. Nat.)	5 January 2023.
Heritage Impact Assessment	CES.	January 2023.
Noise Impact Assessment	Enviro-Acoustic Research cc	October 2022.
Palaeontological Heritage	Natura Viva cc	January 2023.
Riverine Rabbit Specialist Report	Bohemian Scientist	20 October 2022.

2. Key factors considered in making the decision.

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project emanates from the provision of electricity to the national grid.
- c) The EIAr dated March 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed wind energy facility deemed suitable.
- e) The project area appears to have favourable wind conditions to operate a wind farm.
- f) The methodology used in assessing the potential impacts identified in the EIAr dated March 2023 and the specialist studies have been adequately indicated.
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIAr dated March 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated March 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

Annexure 2: Locality Plan



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