



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: 14/12/16/3/3/2/278/1

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22th floor Metropolitan Centre
7 Walter Sisulu Avenue, Foreshore
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8001

Telephone Number: 021 831 6134
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PER MAIL / EMAIL

Dear Mr Bellingham

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED CONSTRUCTION OF THE 118MW CASTLE WIND ENERGY FACILITY, WITHIN THE RENOSTERBERG AND THE EMTHANJENI LOCAL MUNICIPALITIES, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 08 May 2015, the subsequent environmental authorisation amendments dated 30 June 2015 (14/12/16/3/3/2/278/AM1), 04 April 2017 (14/12/16/3/3/2/278/AM2), 15 March 2018 (14/12/16/3/3/2/278/AM3), and 26 February 2020 (14/12/16/3/3/2/278/AM4), your application for amendment of the EA received on 11 March 2022, the acknowledgement letter dated 22 March 2022, and the additional information received on 05 April 2022, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5, Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 08 May 2015 by issuing a new EA.

The attached EA will replace the EA dated 08 May 2015 for the construction of the authorised Castle Wind Energy Facility and associated infrastructure (including the IPP substation), located on Portion 12 and 13 of Farm 165 (Vendussie Kuil) and the Remaining Extent of Portion 0 of the Farm 8 (Knapdaar), within the in Renosterberg and Emthanjeni Local Municipalities, Northern Cape Province, as well as subsequent amendments. All further amendments must be lodged on the attached EA.

Reason for the amendment is as follows:

The amendment involves splitting the EA for the authorised Castle Wind Energy Facility and shared on-site 33/132kV substation. The holder of the EA, Castle Wind Farm (Pty) Ltd, requires that the proposed on-site substation be split into two portions (an Eskom portion and an IPP portion) and that the Eskom portion of the substation be split from the wind energy facility such that there is a separate EA (14/12/16/3/3/2/278/1) and EMPr for the wind energy facility and IPP Substation and another one for the Eskom grid infrastructure

(14/12/16/3/3/2/278/2) to facilitate handover of the grid infrastructure to Eskom in accordance with Eskom's specific requirements. Both portions of the substation will fall within extent of the onsite collector substation as assessed in the original EIA. The splitting of the EA and associated EMPs does not result in a change of the scope of the existing EA, nor does it increase the level or nature of the impacts which were originally assessed and considered when the initial application for EA, or subsequent amendments thereto, were made.

General

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 fourteen (14) days of the date of the decision, 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 stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of 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 prescribes 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.

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 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@dfpe.gov.za;

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

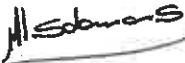
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Project Title: Approval of Environmental Authorisation for the proposed construction of the Castle Wind Energy Facility, within the Renosterberg and the Emthanjeni Local Municipality, Northern Cape Province

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.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfpe.gov.za.

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 09/05/2022.

cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
	Ms Deneo Moleko	Northern Cape Department of Environment and Nature Conservation (DENC)	Email: dmolelo@half.ncape.gov.za
	Mr Isak Visser	Emthanjeni Local Municipality	Email: visser@emthanjeni.co.za

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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

Proposed construction of the 118MW Castle Wind Energy Facility, within the Renosterberg and Emthanjeni Local Municipalities, Northern Cape Province.

Pixley Ka Seme District Municipality

Authorisation register number:	14/12/16/3/3/2/278/1
Last amended:	Second issue
Holder of authorisation:	Castle Wind Farm (Pty) Limited
Location of activity:	Portion 12 of Farm 165 (Vendussie Kuil); (Renosterberg Local Municipality), Portion 13 of Farm 165 (Vendussie Kuil); (Renosterberg Local Municipality), The Remaining Extent of Portion 0 of Farm 8 (Knapdaar), Emthanjeni Local Municipality.

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 –

CASTLE WIND FARM (PTY) LIMITED

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

with the following contact details –

Mr Christopher Bellingham
22th floor Metropolitan Centre
7 Walter Sisulu Avenue, Foreshore
CAPE TOWN
8001

Telephone Number: 021 831 6134

Email: bellingham@juwi.co.za

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

Listed activities	Activity/Project description
<p><u>GN544 Activity 10</u></p> <p><i>The construction of facilities or infrastructure for the transmission and distribution of electricity – Outside urban areas or industrial complexes with a capacity of more than 33kV but less than 275kV</i></p>	<p>Construction of an onsite IPP substation, power line/s, outside an urban area, with a capacity of more than 33kV.</p>
<p><u>GN544 Activity 11</u></p> <p><i>The construction of:</i></p> <ul style="list-style-type: none"> <i>(iii) bridges</i> <i>(vi) bulk storm water outlet structures</i> <i>(x) buildings exceeding 50 square metres in size; or</i> <i>(xi) infrastructure or structures covering 50 square metres or more</i> <p><i>Where such construction occurs within a watercourse or within 32 metres of a watercourse, measures from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p>	<p>Bridges, storm water structures and buildings (such as the workshop) will occur within 32m of a watercourse.</p>
<p><u>GN544 Activity 13</u></p> <p><i>The construction 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 80 but not exceeding 500 cubic metres</i></p>	<p>Facilities for storage of diesel / oils that are up to 500m³ are required for the wind energy facility.</p>
<p><u>GN544 Activity 18 (i)</u></p> <p><i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from</i></p> <p><i>(i) a watercourse</i></p>	<p>The construction of the wind energy facility will include excavation of soil in a watercourse (drainage line) that may exceed 5 cubic metres.</p>

Listed activities	Activity/Project description
<p><u>GN544 Activity 47</u> <i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre –</i> <i>(ii) where no reserve exists, where the existing road is wider than 8 metres –</i> <i>excluding widening or lengthening occurring inside urban areas.</i></p>	<p>Existing farm (gravel) access roads may be widened or lengthened. These roads have no road reserve and may be wider than 8 metres in some areas.</p>
<p><u>GN545 Activity 1</u> <i>The construction of facilities or infrastructure, for the generation of electricity where the output is 20 megawatts or more.</i></p>	<p>The wind energy facility will consist of wind turbines for electricity generation of more than 20MW.</p>
<p><u>GN545 Activity 15</u> <i>Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; Except where such physical alteration takes place for:</i> <i>(i) Linear development activities.</i> <i>(ii) Agriculture or afforestation where activity 16 in this schedule will apply</i></p>	<p>The development footprint for the proposed wind energy facility will cover an area greater than 20 hectares.</p>
<p><u>GN 546 Activity 4 (a) (ii) (bb)</u> <i>The construction of a road wider than 4 metres with a reserve less than 13,5 metres.</i> <i>(a) In the Northern Cape</i> <i>(ii) Outside urban areas, in:</i> <i>(bb) National Protected Area Expansion Strategy Focus areas.</i></p>	<p>New roads wider than 4 m to be constructed in a rural part of the Northern Cape within a National Protected Area Expansion Strategy Focus area.</p>
<p><u>GN 546 Activity 10(a) (ii) (bb)</u> <i>The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i> <i>(a) In the Northern Cape</i></p>	<p>Fuel required during construction will be stored on-site. The site occurs in a rural part of the Northern Cape and a portion of the site falls within a National Protected Area Expansion Strategy Focus area.</p>

Listed activities	Activity/Project description
<p>(ii) Outside urban areas, in: (bb) National Protected Area Expansion Strategy Focus areas.</p>	
<p><u>GN 546 Activity 13 (b) & (c) ii (bb)</u> The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (b) National Protected Area Expansion Strategy Focus areas. (a) In the Northern Cape (ii) Outside urban areas, in: (bb) National Protected Area Expansion Strategy Focus areas.</p>	<p>An area of 1 ha or more of indigenous vegetation cover need to be cleared in a rural part of the Northern Cape, within a National Protected Area Expansion Strategy Focus area.</p>
<p><u>GN 546 Activity 14 (a) (i)</u> The clearance of an area of 5 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (a) In the Northern Cape (i) All areas outside urban areas</p>	<p>An area of 5 ha or more of indigenous vegetation cover may need to be cleared in a rural area within the Northern Cape.</p>
<p><u>GN 546 Activity 16 (iii) & (iv) (a) ii (bb)</u> The construction of (iii) buildings with a footprint exceeding 10 square metres in size or (iv) infrastructure covering 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line. (a) In the Northern Cape (i) Outside urban areas (bb) National Protected Area Expansion Strategy Focus areas.</p>	<p>Buildings and infrastructure larger than 10 m² to be constructed within 32 m of a watercourse which fall within National Protected Area Expansion Strategy Focus areas.</p>

Listed activities	Activity/Project description
<p><u>GN 546 Activity 19</u></p> <p><i>The widening of a road by more than 4metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>(a) In the Northern Cape</i></p> <p><i>(ii) Outside urban areas, in:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas.</i></p>	<p>Existing farm (gravel) access roads to be widened in a rural part of the Northern Cape, within a National Protected Area Expansion Strategy Focus area.</p>

as described in the Environmental Impact Assessment Report (EIAR) dated February 2015 at:

Farm Portions	SG21 digit code
<ul style="list-style-type: none"> • Portion 12 of Farm 165 (Vendussie Kuil); 	C0570000000016500012
<ul style="list-style-type: none"> • Portion 13 of Farm 165 (Vendussie Kuil); 	C0570000000016500013
<ul style="list-style-type: none"> • The Remaining Extent of Portion 0 of Farm 8 (Knapdaar) 	C0300000000000800000

Facility & access road co-ordinates	Latitude	Longitude
Castle Wind Energy Facility	30°36'38.24"S	24°18'33.78"E
Preferred access road Alternative	Latitude	Longitude
Start-point	30°39'22.30"S	24°22'38.09"E
Mid-point	30°38'18.33"S	24°21'49.04"E
End-point	30°36'59.55"S	24°21'43.97"E

Coordinates of the IPP on-site sub station

Latitude	Longitude
30°35'40.97"S,	24°18'4.10"E

- for the proposed construction of the 118MW Castle Wind Energy Facility, within the Renosterberg and the Emthanjeni Local Municipality, Northern Cape Province, hereafter referred to as "the property".

26.

The infrastructure associated with this facility includes:

- 24 Wind Turbines
- Turbine foundations
- 24 Crane hardstand areas
- Underground cabling between turbines along the road verge
- Temporary laydown areas
- On-site 132kV Independent Power Producers (IPP) substation which will be an approximate compound size of 100m x 50m
- Internal access roads (approximately 7m wide) linking turbines and other infrastructure on the site

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed 118MW Castle Wind Energy Facility and associated infrastructure located on Portion 12 of Farm 165 Vendussie Kuil; (Renosterberg Local Municipality), Portion 13 of Farm 165 Vendussie Kuil; (Renosterberg Local Municipality), and the Remaining Extent of Portion 0 of Farm 8 Knapdaar, (Emthanjeni Local Municipality) is approved as per the above-mentioned geographic coordinates a.
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 may only be carried out at the property as described above.
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 the original Environmental Authorisation issued on 08 May 2015 (i.e., the authorisation lapses on 08 May 2025.). 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. The Environmental Authorisation will not be extended further.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

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

Management of the activity

12. A copy of the final site layout plan 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 plan. The site layout plan must indicate the following:
 - 12.1. Turbine positions;
 - 12.2. Foundation footprint;
 - 12.3. Permanent lay down area footprint;
 - 12.4. Construction period lay down footprint;
 - 12.5. Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
 - 12.6. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - 12.7. The location of heritage sites;
 - 12.8. Sub-station(s) and/or transformer(s) sites including their entire footprint;
 - 12.9. Cable routes and trench dimensions (where they are not along internal roads);
 - 12.10. Connection routes (including pylon positions) to the distribution/transmission network;
 - 12.11. Cut and fill areas at turbine sites along roads and at sub-station/transformer sites indicating the expected volume of each cut and fill;
 - 12.12. Borrow pits;
 - 12.13. Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 12.14. All existing infrastructure on the site, especially roads;
 - 12.15. Buildings including accommodation;
 - 12.16. All "no-go" areas.
 - 12.17. A map combining the final layout plan superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of turbines as stated in the EIR dated February 2015 and this authorisation.
13. The final layout plan must also be superimposed (overlain) over an environmental sensitivity map to be submitted to the department.
14. The applicant must appoint a qualified botanical and fauna specialist to ground-truth every footprint and their recommendation must inform the final layout of the renewable energy facility and EMPr to be submitted to the department for approval.

15. The Environmental Management Plan (EMPr) submitted as part of the application for environmental authorisation must be amended and submitted with the abovementioned layout plan to the Department for written approval prior to commencement of the activity.
16. The EMPr amendments must include the following:
 - 16.1 All recommendations and mitigation measures recorded in the EIR dated February 2015.
 - 16.2 The requirements and conditions of this authorisation.
 - 16.3 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.
 - 16.4 An open space management plan to be implemented during the construction and operation of the facility.
 - 16.5 A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility including timeframes for restoration which must indicate rehabilitation within the shortest possible time 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.
 - 16.6 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.
 - 16.7 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 sub-surface flows. Drainage measures must promote the dissipation of storm water run-off.
 - 16.8 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.
 - 16.9 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.
 - 16.10 A transportation plan for the transport of turbine components, main assembly cranes and other large pieces of equipment.

- 16.11 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.
 - 16.12 An avifauna and bat monitoring programme to document the effect of the operation of the energy facility on avifauna and bats. This must be compiled by a qualified specialist.
 - 16.13 An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
 - 16.14 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.
17. The approved EMPr must be implemented and strictly enforced during all phases of the project. It must be seen as a dynamic document and must be included in all contract documentation for all phases of the development when approved.
 18. The provisions of the approved EMPr including the mitigation measures identified in the EIR and specialist' studies must be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.
 19. The holder of this authorisation must appoint qualified vegetation, fauna, heritage and avifauna specialists to ground-truth every infrastructure footprint and their recommendation must inform the final layout of the facility and the EMPr to be submitted to the department for approval.

Frequency and process of updating the EMPr

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. 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.
23. 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.
24. 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

25. 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.
- 25.1 The ECO must be appointed before commencement of any authorised activities.
- 25.2 Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
- 25.3 The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 25.4 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

26. 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.

27. 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.
28. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
29. The holder of the authorisation must, in addition, submit an environmental audit report 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.
30. 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.
31. 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

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

Operation of the activity

33. 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

34. 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

Avifauna and Bats

35. A bird and bat monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna and bats. This should commence prior to construction and continue during operation of the energy facility.
36. The results of the pre-construction bird monitoring programme must inform the final layout and the construction schedule of the energy facility.
37. Reports regarding bird monitoring must be submitted to the relevant provincial environmental department, Birdlife South Africa, the Endangered Wildlife Trust (EWT), and this Department on a quarterly basis. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country.
38. The baseline data collected and documented during the survey must be shared with the EWT, and Birdlife South Africa for a better understanding of the distribution or breeding behaviour of any of the priority species.
39. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
40. A 3km no-go buffer has been identified around each of the known Verreaux's Eagle nests. No new infrastructure may be constructed within these areas. There are currently three turbines inside this buffer area and these are to be relocated during micro-siting.
41. The local population of Verreaux's Eagle must be monitored for the full lifespan of the wind farm to ensure that any impacts are measured. This will require 2-3 visits to each of the 3 known nests (and any new ones subsequently found) during breeding season each year by a suitably qualified independent ornithologist.
42. Ongoing monitoring is required to determine breeding status at nests of Verreaux's Eagles. Evidence of abandonment of breeding or compromised productivity of breeding Verreaux's Eagles will require offset or compensation plans to be developed by a suitably qualified independent ornithologist.

Vegetation, wetlands and water resources

43. All species of special concern (SSC) must be identified and every effort must be made to rescue them.
44. Vegetation clearing must be limited to the required footprint.

45. Critical available biodiversity information must be consulted for the final placement of turbines, PV panels and infrastructure.
46. A "Plant Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be compiled by a vegetation specialist familiar with the site in consultation with the ECO. This plan must be implemented prior to commencement of the construction phase.
47. Construction activities must be restricted to demarcated areas to restrict impact on vegetation, birds and animals.
48. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities should be undertaken as early as possible on disturbed areas.
49. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
50. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
51. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
52. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
53. Siting of turbines should adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
54. Any significant impacts detected by post-construction monitoring must be mitigated where judged necessary by the avifaunal specialist. The onus is on the wind farm operator to have planned ahead for such an eventuality, particularly in respect of financial budgeting.
55. Should fatalities of one Regionally Red Listed species or two other species of concern be recorded a mitigation plan should be developed and implemented (this could involve curtailment, shutdown on demand, habitat management, deterrence and any others available at the time of implementation).
56. At other operational wind farms it has been suspected that ground burrowing small mammals such as Ground Squirrel found more favourable burrowing conditions along new road and hard stand verges on site after construction, which resulted in an inflated prey base for eagles close to turbines, and consequent higher turbine collision risk. It is essential that the Castle Wind Farm does not create favourable conditions for such mammals in high-risk areas. Discussions with civil engineers previously have determined that it is not possible to adequately compact road verges, drains and hard stand edges during construction to eliminate such burrowing. We therefore recommend then that within the first year of operations a full assessment of this aspect be made by the ornithologist contracted for post construction monitoring. If

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such burrowing is found case specific solutions to exclude these mammals from areas close to turbines will need to be developed. Additionally, any alterations of habitat and areas identified with the potential to increase raptor prey populations should be monitored and corrected through compaction or other deterrence's.

Noise

57. Construction staff to be given training in actions to minimise noise impacts.
58. Noise from the turbines at the identified noise sensitive areas must be less than the 45dB(A) limit for rural areas presented in SANS10103.
59. The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.
60. The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
61. The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
62. The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
63. All noisy construction operations should only occur during daylight hours if possible.
64. All wind turbines should be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors; such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.
65. Positions of turbines jeopardizing compliance with accepted noise levels should be revised during the micro-siting of the units in question and predicted noise levels re-modelled by the noise specialist, in order to ensure that the predicted noise levels are less than 45dB(A).

Visual Resources

66. 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.
67. Commercial messages and graffiti on turbines must be avoided.
68. Lay down areas and stockyards should be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.

69. Night lighting of the construction sites should be minimised within the requirements of safety and efficiency.

Human Health and Safety

70. 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, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.
71. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
72. The applicant must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and should comply with the relevant communication regulations.
73. The applicant must obtain a written permit or 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. The approval/permit must be submitted to the Director: Strategic Infrastructure Developments.
74. The applicant must obtain approval from the South Africa Weather Services (WeatherSA) that the energy facility will not interfere with the performance of their equipment, especially radar, prior to commencement of the activity. The approval must be submitted to the Director Strategic Infrastructure Developments.
75. The applicant 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.
76. Liaison with landowners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
77. No unsupervised open fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

78. Areas around fuel tanks must be bunded or contained in a manner as per the requirements of SABS 089:1999 Part 1.
79. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.

80. An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or storm water system.
81. No temporary storage of any materials may take place outside designated and demarcated lay down areas, and these must all be located within areas of low environmental sensitivity.
82. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. 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.
83. Spill kits must be made available on-site for the clean-up of spills.
84. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
85. Any solid waste must be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
86. Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permitted waste site and must be removed from the site when the construction phase is completed.

Excavation and blasting activities

87. 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.
88. Borrow materials must be obtained only from authorized and permitted sites.
89. Anti-erosion measures such as silt fences must be installed in disturbed areas.

Air emissions

90. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
91. 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

92. Should any graves be found, all construction activities must be suspended, and an archaeologist be contacted immediately. The discovered graves must be cordoned off.

Turbines position

93. Turbine position 01, 04, 05, 18, 20, 24 and 28 are not approved.
94. Turbines must be positioned in such a way that shadow flicker does not affect any farm buildings.

General

95. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
- 95.1. at the site of the authorised activity;
 - 95.2. to anyone on request; and
 - 95.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
96. 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.
- 97.

Date of Environmental Authorisation: 09/05/2022



Ms Millicent Solomons

Acting 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 information contained in the EIR dated February 2015;
- b) The comments received from organ of state and interested and affected parties as included in the EIR dated February 2015;
- c) Mitigation measures as proposed in the EIR dated February 2015 and the draft EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the EIR dated February 2015.

2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the need for clean and renewable energy sources to reduce the country supply problems.
- c) The EIR dated February 2015 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The EIR dated February 2015 identified all legislation and guidelines that have been considered in the preparation of the EIAr dated February 2015.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated February 2015 and the specialist studies have been adequately indicated.
- f) 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 February 2015 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 February 2015 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 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.



**forestry, fisheries
& the environment**

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Forestry, Fisheries and the Environment
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Ms. Milicent Solomons
Director, Prioritized Infrastructure Projects

Dear Mrs Solomons

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS
FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022**

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms Devynagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and
Sector Monitoring)

Date 20 April 2022

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorizations

Signed:

Date:

20/04/2022