



## 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: 14/12/16/3/3/2/1120/1

Enquiries: Ms Thembisile Hlatshwayo

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Mr Alan Wolfromm  
Paulputs Wind Energy Facility South (RF) (Pty) Ltd  
P O Box 762  
Wilderness  
Western Cape  
6560

Cell phone number: 082 529 4909  
Email Address: [MrWolf@wkn-windcurrent.com](mailto:MrWolf@wkn-windcurrent.com)

### PER EMAIL / MAIL

Dear Mr Wolfromm

### AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 DECEMBER 2019 FOR THE PROPOSED 150 MW PAULPUTS SOUTH WIND ENERGY FACILITY (WEF), NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the above mentioned application by this Department on 11 December 2019, your application for an amendment of the EA received on 05 August 2021, the acknowledgement letter dated 11 August 2021, and the final amendment report received on 03 November 2021, 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 11 December 2019 by issuing a new EA.

The holder of the EA has been amended from:

***"Paulputs Wind Energy Facility (Pty) Ltd"***

to

***"Paulputs Wind Energy Facility South (RF) (Pty) Ltd"***

**The attached EA will replace the EA as well as the subsequent amendments.** All further amendments must be lodged on the attached EA.

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.

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@environment.gov.za](mailto:appeals@environment.gov.za);

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

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.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 07/03/2022

cc:	Ashlin Bodasing	Arcus Consultancy Services South Africa (Pty) Ltd	<a href="mailto:ashlinb@arcusconsulting.co.za">ashlinb@arcusconsulting.co.za</a> / <a href="mailto:paulputs@arcusconsulting.co.za">paulputs@arcusconsulting.co.za</a>
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## forestry, fisheries & the environment

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

# Environmental Authorisation

In terms of Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014,  
as amended

The 150 MW Paulputs South Wind Energy Facility (WEF), Northern Cape Province

ZF Mgcawu and Namakwa District Municipalities;

Northern Cape

<b>Authorisation register number:</b>	14/12/16/3/3/2/1120/1
<b>Last amended:</b>	First Issue
<b>Holder of authorisation:</b>	Paulputs Wind Energy Facility South (RF) (Pty) Ltd
<b>Location of activity:</b>	Portion 2 of the Farm Scuitklip 92; Portion 3 of the Farm Scuitklip 92; Portion 5 of the Farm Scuitklip 92; Portion 2 of the Farm Lucasvlei 93 and Portion 4 of the Farm Lucasvlei 93; Khai-Ma and Kai !Garib Local Municipalities; ZF Mgcawu and Namakwa District Municipalities; Northern Cape.

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.

## 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, 1998 and the EIA regulations.

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

## Activities authorised

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

### **Paulputs Wind Energy Facility South (RF) (Pty) Ltd**

with the following contact details –

Mr Alan Wolf from

Paulputs Wind Energy Facility South (RF) (Pty) Ltd

P O Box 762

Wilderness

**Western Cape**

6560

Cell phone number: 082 529 4909

Email Address: [MrWolf@wkn-windcurrent.com](mailto:MrWolf@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 as amended (GN R. 983, 984 and 985 as amended):

Activity number	Activity description
<p><u>Listing Notice 1 Item 12:</u></p> <p><i>"The development of—</i></p> <p><i>(i) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs—</i></p> <p><i>(a) within a watercourse; and</i></p> <p><i>(c) within 32 metres of a watercourse, measured from the edge of a watercourse..."</i></p>	<p>Infrastructure such as roads are proposed within 32m of a watercourse. The cumulative footprint of all proposed development within 32m of a watercourse will exceed 100 square metres.</p>
<p><u>Listing Notice 1 Item 14</u></p> <p><i>"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 80 cubic metres or more but not exceeding 500 cubic metres..."</i></p>	<p>Construction of the proposed development will require dangerous goods in the form of hydrocarbon fuels (e.g. diesel), paints and solvents, oils and greases. Sewage and waste streams will be generated by the WEF. During construction of the WEF in particular the combined capacity of dangerous goods on site may exceed 80 cubic metres. The proposed on-site substation is likely to require the use of transformer oils/other hazardous substances during the operational phase.</p>
<p><u>Listing Notice 1 Item 19:</u></p> <p><i>"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 metres from a watercourse."</i></p>	<p>The construction of the overhead power line will include the excavation of soil in watercourses/drainage line areas, and infilling/deposition may exceed 5 cubic metres and in some instances may exceed 10 cubic metres. Borrow pits for the sourcing of aggregate material may be required.</p>

<p><u>Listing Notice 1 Item 24:</u></p> <p><i>"The development of a road-</i> <i>(ii) with a reserve wider than 13.5 meters, or where no reserve exists where the road is wider than 8 meters."</i></p>	<p>Development of a road where no road reserve exist (access roads of 6 – 12m will be required between turbines).</p>
<p><u>Listing Notice 1 Item 28:</u></p> <p><i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>Construction of the proposed development will change the land use from agriculture to mix - agriculture and electricity generation and transmission. The proposed development is outside an urban area and has a footprint that will exceed 1ha.</p>
<p><u>Listing Notice 1 Item 48:</u></p> <p><i>"The expansion of-</i> <i>Infrastructure or structures where the physical footprint is expanded by 100 square metres or more;</i> <i>where such expansion occurs-</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>Existing infrastructure such as roads and bridges within 32m of a watercourse will require expansion. The cumulative footprint of all proposed development expansion within 32m of a watercourse may exceed 100 square metres.</p>
<p><u>Listing Notice 1 Item 56:</u></p> <p><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; excluding where widening or lengthening occur inside urban areas"</i></p>	<p>Existing farm access roads will need to be widened or lengthened. These roads would currently have no road reserve and may be wider than 8m in some parts of it.</p>
<p><u>Listing Notice 2 Item 1</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more."</i></p>	<p>The WEF will consist of up to 35 turbines for electricity generation with a capacity of more than 20MW with a maximum of 150 MW.</p>

<p><u>Listing Notice 2 Item 15</u></p> <p><i>"The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-</i> <i>(i) the undertaking of a linear activity"</i></p>	<p>The construction of the proposed development will require clearance of more 20 hectares of indigenous vegetation.</p>
<p><u>Listing Notice Item 4</u></p> <p><i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres</i> <i>(g) Northern Cape</i> <i>(ii) Outside urban areas:</i> <i>(ee) Critical Biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans"</i></p>	<p>Internal and external access roads will be constructed, which are wider than 4m. The site falls outside of an urban area and part of it falls within a CBA 1.</p>
<p><u>Listing Notice Item 12</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i> <i>(g) Northern Cape</i> <i>(ii) Within critical biodiversity areas identified in bioregional plans"</i></p>	<p>The proposed development will require the clearance of natural vegetation in excess of 300m<sup>2</sup> in areas of natural vegetation. Parts of the site fall within a CBA 1.</p>
<p><u>Listing Notice Item 14</u></p> <p><i>"The development of—</i> <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i> <i>(g) Northern Cape</i> <i>(ii) Outside urban areas:</i></p>	<p>Bridges and infrastructure will be constructed within 32m of watercourse(s). The site lies outside of an urban area and a portion of the site falls within a CBA 1.</p>

<p>(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><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 or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans"</p>	<p>Existing farm roads will need to be widened or lengthened. The site lies outside of an urban area and a portion of the site falls within a CBA 1.</p>
<p><u>Listing Notice 3 Item 23</u></p> <p>"The expansion of—</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>(g) Northern Cape</p> <p>(ee) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional Plans"</p>	<p>The construction of the WEF will include the expansion of existing bridges over watercourses. The site lies outside of an urban area and a portion of the site falls within a CBA 1.</p>

as described in the Environmental Impact Assessment (EIAR) dated August 2019 and the final amendment report dated September 2021 at:



## Co-ordinates of the Paulputs South WEF and infrastructure

### Paulputs South WEF coordinates:

	Latitude (S)	Longitude (E)
A	28°54'47" S	19°47'3.89"E
B	28°59'38.87"S	19°41'55.40"E
C	28°59'42.46"S	19°42'0.76"E
D	29° 0'21.69"S	19°45'6.43"E
E	28°57'40.46"S	19°47'56.57"E
F	28°55'7.98"S	19°46'54.31"E

### 21 SG Codes:

C	0	3	6	0	0	0	0	0	0	0	0	0	0	9	2	0	0	0	0	2
C	0	3	0	0	0	0	0	0	0	0	0	0	0	9	2	0	0	0	0	3
C	0	3	6	0	0	0	0	0	0	0	0	0	0	9	2	0	0	0	0	5
C	0	3	6	0	0	0	0	0	0	0	0	0	0	9	3	0	0	0	0	2
C	0	3	6	0	0	0	0	0	0	0	0	0	0	9	3	0	0	0	0	4

-for the 150 MW Paulputs South Wind Energy Facility (WEF), in the Northern Cape Province., hereafter referred to as "the property".

### The South WEF will comprise of the following:

- A maximum of 35 turbines with a total generation capacity of 150MW.
- The maximum height to tip of the blade will be 290m, with a hub height of up to 180m, a rotor diameter of up to 220m and a blade length of up to 110m.
- Foundations, hardstands and permanent laydown areas associated with each wind turbines base is approximately 0.8ha.
- Internal access roads with a combined length of approximately 45km in length (mostly 6m wide but up to 12m, average 8m).
- Medium voltage cabling between turbines and the switching station, to be laid underground where technically feasible.
- Overhead medium voltage cables between onsite substations where necessary.

**South WEF Technical Details:**

<b>Component</b>	<b>Description/ Dimensions</b>
Location of the site	<ul style="list-style-type: none"><li>• 35km northeast of Pofadder, Northern Cape Province.</li><li>• Ward 1 of the Khai Ma Local Municipality of DC6 – Namakwa District Municipality.</li><li>• Ward 9 of the Kai !Garib Local Municipality of DC8 – ZF Mkgawu District Municipality</li></ul>
Facility Area	The proposed amendment site is approximately 7 400 hectares. This is the total area covered, in which all components will be located. The actual development footprint will be approximately 1 % of this.
Number of Turbines	Up to 35 (T1-T35)
Site Access	N14 (NW and SE access - including abnormal loads) and MN759 (NW access only - no abnormal loads) 4 (NW and SE access - including abnormal loads) and MN759 (NW access only - no abnormal loads)
Hub Height from ground level	Up to 180m
Blade Length	Up to 110m
Rotor Diameter	Up to 220m

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The 150 MW Paulputs South wind Energy Facility (WEF), as described above is hereby approved.
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 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 eight (08) 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. Construction must be completed within eight (08) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

10. 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.
11. The notification referred to must –
  - 11.1. specify the date on which the authorisation was issued;
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 11.4. give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

12. 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**

13. 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 must be used as far as possible e.g. roads. The layout map must indicate the following:
  - 13.1. Cable routes (where they are not along internal roads);
  - 13.2. Position of wind turbines and associated infrastructure;
  - 13.3. Internal roads indicating width;

- 13.4. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
  - 13.5. All sensitive features e.g. Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
  - 13.6. Substation(s) inverters and/or transformer(s) sites including their entire footprint;
  - 13.7. Connection routes (including pylon positions) to the distribution/transmission network;
  - 13.8. All existing infrastructure on the site, such as roads;
  - 13.9. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
  - 13.10. Buildings, including accommodation; and,
  - 13.11. All "no-go" and buffer areas.
14. 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.
15. The EMPr amendment must include the following:
- 15.1. The requirements and conditions of this authorisation.
  - 15.2. All recommendations and mitigation measures recorded in the EIAr.
  - 15.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
  - 15.4. The final site layout map.
  - 15.5. 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.
  - 15.6. 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.
  - 15.7. 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.
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- 15.8. 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.
  - 15.9. A construction and operational avifauna and bat monitoring plan.
  - 15.10. 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.
  - 15.11. 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.
  - 15.12. 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.
  - 15.13. A fire management plan to be implemented during the construction and operational phases.
  - 15.14. 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.
  - 15.15. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
  - 15.16. 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 EIA and this authorisation.
  16. The final amended EMP (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.
  17. Changes to the approved EMP must be submitted in accordance to the EIA Regulations applicable at the time.
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18. 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**

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 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.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.
22. 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 GN R.982. 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.
23. The holder of the authorisation may 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 GN R.982. 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**

24. 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.
- 24.1. The ECO must be appointed before commencement of any authorised activities.

- 24.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 24.4. 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**

25. 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.
26. 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.
27. 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 GN R. 982.
28. 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.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 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.
30. 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**

31. 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**

32. 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**

33. 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**

34. 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.
35. Exclusion of sensitive ecological, avifaunal, bat, surface water and heritage areas from construction activities must inform micro siting of all development activities.
36. Prior to construction, an avifaunal specialist must conduct a site walkthrough, covering the final road and power line routes as well as the final turbine positions, to identify any nests/breeding/roosting activity of priority species, as well as any additional sensitive habitats. The results thereto must inform the final construction schedule in close proximity to that specific area, including reducing construction time, scheduling activities around avian breeding and/or movement schedules, and lowering levels of associated noise.
37. 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. A Bat management plan must be developed and implemented as recommended by the DFFE: BDC.
38. As an absolute minimum, avifauna and bat monitoring, to survey impacts resulting from the infrastructure on the bird communities with focus on assessing the displacement and disturbance effects of the development on the bird communities, as well as bird collisions and continue to gather information on the

- bird communities present in the area and monitor the effectiveness of the mitigation measures, must occur during the construction period and continue for at least three years during the operation of the facility. The results of this monitoring must be made available to the Department of Environmental Affairs (DEA), Birdlife South Africa (BLSA) and the South African Bat Assessment Advisory Panel (SABAAP) and must further advise the EMPr where necessary.
39. The results of the pre-construction bird and bat monitoring assessments including all recommendations proposed by the reports dated August 2019 and February 2021, respectively, must inform the final layout and the construction schedule of the Paulputs South Wind Energy Facility.
  40. Copies of all permits required for the construction of the proposed infrastructure must be kept on site by the ECO for record keeping purposes and make it available to the Department upon request.
  41. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
  42. Areas outside of the footprint, including sensitive areas and buffer areas, must be clearly demarcated (using fencing and appropriate signage) before construction commences and must be regarded as "no-go" areas.
  43. Contractors and construction workers must be clearly informed of the no-go areas.
  44. Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
  45. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
  46. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the EMPr.
  47. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
  48. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
  49. Any fauna directly threatened by the construction activities should be removed to a safe location by a suitably qualified person.
  50. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources must be made.
  51. 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. Where solid waste is
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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).

#### **General**

52. The recommendations of the EAP in the EIAR dated August 2019 and the specialist studies attached must be adhered to, and this includes the recommendations of the EAP in the Amendment Report dated September 2021 and the specialist studies attached. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference
53. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 53.1. at the site of the authorised activity;
  - 53.2. to anyone on request; and
  - 53.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
54. 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: 07/03/2022

  
Mr Sabelo Malaza  
Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

## **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 18 July 2019 and the amended application form received on 30 August 2019.
- b) The information contained in the EIAr dated August 2019 and Amendment Report dated September 2021.
- c) The comments received from commenting authorities and interested and affected parties as included in the EIAr dated August 2019 and Amendment Report dated September 2021.
- d) Mitigation measures as proposed in the EIAr and the EMPr dated August 2019 and Amendment Report dated September 2021.
- e) The objectives and requirements of relevant legislations, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- f) The information contained in the specialist studies contained within the appendices of the EIAr dated August 2019 and Amendment Report dated September 2021.
- g) The draft report submitted as per the requirements of Regulation 32 of the EIA Regulations, 2014 as amended, was received by this Department for comment on 05 August 2021, the EAP subsequently submitted a final amendment report for review and decision making on 03 November 2021

### **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 EIAr dated August 2019 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- c) The methodology used in assessing the potential impacts identified in the EIAr dated August 2019, confirmed by the specialist and submitted with the final amendment report dated September 2021 and received on 03 November 2021 have been adequately indicated.
- d) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 for public involvement.

- e) Confirmation on the proposed amendments by the specialists as included in the final amendment report dated September 2021 and received on 03 November 2021.

### **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 August 2019, confirmed by the specialists as included in the final amendment report dated September 2021 and received on 03 November 2021 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the EIAr dated August 2019 is deemed to be accurate and credible.

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.