



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: 14/12/16/3/3/1/1976/1

Enquiries: Ms Samkelisiwe Dlamini

Telephone: (012) 399 9379 E-mail: SDlamini@environment.gov.za

Dr Kilian Hagemann
Kudusberg Wind Farm (Pty) Ltd
5th Floor
125 Buitengracht Street
CAPE TOWN
8001

Tel: (021) 300 0613
E-mail: kudusberg@g7energies.com

PER EMAIL / MAIL

Dear Mr Hagemann

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED 226MW KUDUSBERG WIND ENERGY FACILITY (WEF) AND ASSOCIATED INFRASTRUCTURE, BETWEEN MATJIESFONTEIN AND SUTHERLAND IN THE WESTERN AND NORTHERN CAPE PROVINCES

With reference to the above application, please be advised that the Department has decided to split EA issued 25 March 2019 and grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

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

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which 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@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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



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

Date: 17/05/2021

| | | | |
|-----|--------------------|---------------------|---|
| cc: | Liandra Scott-Shaw | SIVEST SA (Pty) Ltd | Email: liandras@sivest.co.za |
|-----|--------------------|---------------------|---|



forestry, fisheries & the environment

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

Environmental Authorisation

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

The 226MW Kudusberg Wind Energy Facility (WEF) and associated infrastructure, between
Matjiesfontein and Sutherland in the Western and Northern Cape Provinces

Namakwa and Cape Winelands District Municipalities

| | |
|---------------------------------------|---|
| Authorisation register number: | 14/12/16/3/3/1/1976/1 |
| Last amended: | Second issue |
| Holder of authorisation: | Kudusberg Wind Farm (Pty) Ltd |
| Location of activity: | Western Cape: Witzenberg Local Municipality Portion 1 and the remainder of the Farm Gats Rivier No 156 Portion 1 and the remainder of the Farm Oliviers Berg No 159; Klipbanks Fontein No 395; Remainder of the Farm Muishond Rivier No 159 Northern Cape : Karoo Hoogland Local Municipality Remainder of the Farm Karee Kloof No 196 Remainder of the Farm Matjiesfontein No 194 |

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.

M.S

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 –

KUDUSBERG WIND FARM (PTY) LTD

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

with the following contact details –

Dr Kilian Hagemann

Kudusberg Wind Farm (Pty) Ltd

5th Floor

125 Buitengracht Street

CAPE TOWN

8001

Tel: (021) 300 0613

Cell: (082) 768 9830

E-mail: kudusberg@g7energies.com

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

| Listed activities | Activity/Project description |
|--|--|
| <p><u>Listing notice 1: Activity 11 (as amended)</u> The development of facilities or infrastructure for the transmission and distribution of electricity-</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;</p> | <p>The proposed project will entail the construction of a 132kV on-site substation and underground cabling (22/33 kV) to connect the proposed WEF to it. The proposed facility is situated outside of the urban edge.</p> |
| <p><u>Listing notice 1: Activity 12 (as amended)</u> The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse</p> | <p>The proposed WEF buildings and infrastructure are expected to exceed a footprint of 100m² with some infrastructure or structures occurring within a watercourse (drainage line) or 32m of watercourse.</p> <p>The proposed project will take place outside of an urban area.</p> |
| <p><u>Listing notice 1: Activity 19 (as amended)</u> 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</p> | <p>The proposed project will entail the excavation, removal, infilling, depositing and moving of more than 10m³ of soil, sand, pebbles or rock from the watercourses.</p> |
| <p><u>Listing notice 1: Activity 24 (as amended)</u> The development of a road—</p> <p>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</p> | <p>An access road wider than 8m and up to 12m in some sections will be constructed with additional yet associated servitudes/reserve for above or below ground cable installation and maintenance.</p> |
| <p><u>Listing notice 1: Activity 28 (as amended)</u></p> | <p>The land is currently used and zoned for agricultural purposes.</p> |

| Listed activities | Activity/Project description |
|--|---|
| Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; | The proposed Kudusberg WEF which is considered to be a commercial/industrial development which will require a special zoning, will have a footprint of more than 1ha |
| <p><u>Listing notice 1: Activity 48 (as amended)</u></p> The expansion of— (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more where such expansion occurs— (a) within a watercourse (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse | The proposed Kudusberg WEF will entail the expansion of roads and other infrastructure by 100 square metres or more within a watercourse or within 32m from the edge of a watercourse |
| <p><u>Listing notice 1: Activity 56 (as amended)</u></p> The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre— (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres | Existing roads (with additional yet associated servitudes/reserve for above or below ground cable installation and maintenance) will be widened by approximately 8m which is more than 6m in some places to provide access to the WEF site. |
| <p><u>Listing notice 2: Activity 1 (as amended)</u></p> The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more | The proposed project will entail the construction of a WEF with a maximum capacity of 226MW (i.e. facilities for the generation of more than 20MW of electricity from a renewable resource) and will be located outside an urban area. |
| <p><u>Listing notice 2: Activity 15 (as amended)</u></p> The clearance of an area of 20 hectares or more of indigenous vegetation | The proposed Kudusberg WEF will result in more than 20 ha of indigenous vegetation being |

| Listed activities | Activity/Project description |
|--|--|
| | removed for the construction of the proposed WEF |
| <p><u>Listing notice 3: Activity 4 (as amended)</u></p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres</p> <p>g. Northern Cape</p> <p>ii. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>i. Western Cape</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> | <p>Access roads (with additional yet associated servitudes / reserves for above or below ground cable installation and maintenance) wider than 4 3 with a reserve less than 13.5m will be required within the Northern and Western Cape Provinces, outside urban areas within the specific special areas containing indigenous vegetation.</p> <p>Sections of the site are within an Ecological Support Area (ESA) and Critical Biodiversity Area (CBA) 2 in the Northern Cape Province. In addition, sections of the site are within an ESA 1 and CBA 1 in the Western Cape Province.</p> <p>It should be noted that the Western Karoo NPAES Focus Area affects the proposed WEF.</p> |
| <p><u>Listing notice 3: Activity 12 (as amended)</u></p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation</p> <p>g. Northern Cape</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> | <p>The proposed facility's development footprint will result in the clearance of more than 300 square meters of indigenous vegetation. The proposed project area falls within ESA areas and partially a</p> |

| Listed activities | Activity/Project description |
|--|---|
| | <p>CBA 2 in the Northern Cape Province. The proposed project area falls within ESA 1 areas in the Western Cape Province.</p> <p>Despite the fact that the proposed project area falls partially within CBA 1 areas in the Western Cape Province, no systematic biodiversity plans have been adopted by the Western Cape Department of Environmental Affairs and Development Planning (WC DEA&DP) and no bioregional plans exist for the Witzenberg Municipality.</p> |
| <p><u>Listing notice 3: Activity 14 (as amended)</u></p> <p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development 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>ii. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</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>i. Western Cape</p> <p>i. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> | <p>The proposed Kudusberg WEF will entail the development of roads and other infrastructure with a footprint of 10 square metres or more within a watercourse or within 32m from the edge of a watercourse. The proposed project area falls within ESA areas and partially within a CBA 2 in the Northern Cape Province. The proposed project area falls within ESA 1 areas in the Western Cape Province.</p> <p>It should be noted that the Western Karoo NPAES Focus Area affects the proposed WEF.</p> |

MS

| Listed activities | Activity/Project description |
|---|--|
| <p><u>Listing notice 3: Activity 18 (as amended)</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>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</p> <p>i. Western Cape</p> <p>ii. All areas outside urban areas:</p> <p>(aa) Areas containing indigenous vegetation</p> | <p>Existing roads (with additional associated servitudes/reserve for above or below ground cable installation and maintenance) will be widened by more than 4m in some places to provide access to the WEF site.</p> <p>The proposed project area falls within ESA areas and partially within a CBA 2 in the Northern Cape Province. The proposed project area falls within ESA 1 areas in the Western Cape Province. The proposed development will also be within 100 metres from the edge of a watercourse or wetland.</p> <p>It should be noted that the Western Karoo NPAES Focus Area affects the proposed WEF.</p> |
| <p><u>Listing notice 3: Activity 23 (as amended)</u></p> <p>The expansion of –</p> <p>(iii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</p> <p>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>ii. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> | <p>The proposed Kudusberg WEF will entail the expansion of roads and other infrastructure by 10 square metres or more within a watercourse or within 32m from the edge of watercourse</p> <p>The proposed project area falls within ESA areas and partially within a CBA 2 in the Northern Cape Province. The proposed project area falls within ESA 1</p> |

| Listed activities | Activity/Project description |
|---|---|
| (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans i. Western Cape i. Outside urban areas: (bb) National Protected Area Expansion Strategy Focus areas; | areas in the Western Cape Province. It should be noted that the Western Karoo NPAES Focus Area affects the proposed WEF. |

as described in the Basic Assessment Report (BAR) dated January 2019 and Final Amendment Report dated February 2021 at:

SG 21 Code

| | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 6 | 0 | 0 | 0 | 0 | 1 |
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 6 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 9 | 0 | 0 | 0 | 0 | 1 |
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 6 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 5 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 | 1 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 9 | 4 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 | 9 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 1 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 1 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 9 | 3 | 0 | 0 | 0 | 0 | 5 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 7 | 1 | 0 | 0 | 0 | 0 | 0 |
| C | 0 | 7 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 7 | 4 | 0 | 0 | 0 | 0 | 1 |

| Kudusberg WEF | Latitude | Longitude |
|-------------------------------------|------------------|------------------|
| Coordinates at Corner Points | 32°48'14.853"S | 20°23'15.057"E |
| | 32°48'7.939"S | 20°25'19.086"E |
| | 32° 49' 44.075"S | 20° 24' 59.144"E |
| | 32° 50' 41.159"S | 20° 24' 13.445"E |
| | 32° 50' 46.823"S | 20° 24' 24.286"E |
| | 32° 54' 9.411"S | 20° 24' 22.544"E |
| | 32°54'48.192"S | 20° 23' 53.935"E |
| | 32° 56' 23.562"S | 20° 26' 18.389"E |
| | 32° 57' 26.788"S | 20° 24' 38.101"E |

| | | |
|---|------------------|------------------|
| | 32° 56' 35.721"S | 20° 22' 48.877"E |
| | 32° 56' 42.813"S | 20° 21' 46.490"E |
| | 32° 57' 27.491"S | 20° 19' 50.038"E |
| | 32° 59' 45.215"S | 20° 19' 58.513"E |
| | 32° 59' 5.070"S | 20° 17' 15.888"E |
| | 32° 59' 11.874"S | 20° 16' 34.719"E |
| | 32° 57' 11.539"S | 20° 15' 29.007"E |
| | 32° 55' 48.840"S | 20° 14' 21.666"E |
| | 32° 55' 23.944"S | 20° 15' 52.693"E |
| | 32° 52' 9.370"S | 20° 14' 54.031"E |
| | 32° 52' 4.579"S | 20° 15' 50.647"E |
| | 32° 51' 44.360"S | 20° 16' 19.552"E |
| | 32° 51' 27.665"S | 20° 17' 16.598"E |
| | 32° 51' 31.913"S | 20° 20' 32.550"E |
| | 32° 50' 41.238"S | 20° 19' 54.404"E |
| | 32° 49' 35.741"S | 20° 21' 44.517"E |
| Coordinates at Centre Point | 32° 54' 10.102"S | 20° 20' 14.737"E |
| Construction Camp | 32°51'46.797"S | 20° 21' 16.710"E |
| Coordinates at Corner Point | 32°51'41.254"S | 20°21'2.209"E |
| | 32°51'40.895"S | 20°21'11.315"E |
| | 32°51'46.466"S | 20°21'19.638"E |
| | 32°51'45.812"S | 20°21'26.156"E |
| | 32°51'47.063"S | 20°21'32.475"E |
| | 32°51'50.861"S | 20°21'30.264"E |
| | 32°51'51.339"S | 20°21'26.005"E |
| | 32°51'53.100"S | 20°21'24.630"E |
| | 32°51'43.651"S | 20°21'0.749"E |
| SUBSTATION: Coordinates at Corner Points | 32°52'4.061"S | 20° 21' 48.372"E |
| | 32°52'10.456"S | 20°21'53.934"E |
| | 32°52'15.215"S | 20°21'45.714"E |
| | 32°52'9.014"S | 20°21'40.229"E |
| Coordinates at Centre Point | 32°52'9.655"S | 20°21'47.079"E |

- for the 226MW Kudusberg Wind Energy Facility (WEF) and associated infrastructure, between Matjiesfontein and Sutherland in the Western and Northern Cape Provinces, hereafter referred to as "the property".

The facility will comprise the following:

| INFRASTRUCTURE | FOOTPRINT AND DIMENSIONS |
|--|---------------------------------|
| Hub Height from ground level Up to 140 m | Up to 140 m |
| Rotor Diameter | Up to 180 m |
| Blade length | Up to 90 m |

| | |
|---|--|
| Project Size/Export capacity | 226 MW |
| Capacity of on-site substation | 33/132 kV |
| Area occupied by on-site substation | Up to 2.25 ha |
| Area occupied by construction camp | ~12.6 ha which includes an on-site concrete batching plant for use during the construction phase and for offices, administration, operations and maintenance buildings during the operational phase. |
| Permanent area/Facility area occupied by the development footprint of the project | Approximately 126 ha |
| Area occupied by buildings | Approximately 1 ha (comprising inter alia offices, ablution facilities, reception area, storeroom). The footprint of the buildings has all been included in the construction/substation footprint |
| Internal access roads | Internal access roads up to 12 m wide as well as additional servitude / road reserve), including structures for storm water control are required to access each turbine and the substation, with a total footprint of about 82.44 ha. Where possible, existing roads will be upgraded. Turns will have a radius of up to 50m for abnormal loads (especially turbine blades) to access the various turbine positions. 200 m wide corridor along proposed access road to enable micro siting |
| Turbines | Turbine foundations: Reinforced concrete foundation -30 m x 30 m (total footprint -4 ha), 5m deep. Crane pads (laydown areas): 56 turbines x 90 m x 50 m (total footprint 25.2 ha) |
| Electrical transformer | Electrical transformers (690 V/33 kV) will be placed adjacent to each turbine (typical footprint of 2m x 2m, but can be up to 10m x 10m at certain locations) to step up the voltage to 33 kV. Underground 33 kV cabling between turbines buried along access roads, where feasible, with overhead 33 kV lines grouping turbines to crossing valleys and ridges outside of the road footprints to get to the onsite 33/132 kV substation. |
| Wind Monitoring masts | Up to 2 x 140 m high (depending on the final hub height) wind measuring lattice masts strategically placed within the wind farm |

| | |
|------------------------------|---|
| | development footprint to collect data on wind conditions during the operational phase |
| Proximity to grid connection | It should be noted that the proposed supporting transmission line that will connect the proposed Kudusberg WEF to the Komsberg substation will be assessed under a separate Basic Assessment that will be undertaken at a later stage. The proximity from the site to the Komsberg substation is approximately 24 km. |
| Fencing | Permanent fencing will be required around the batching plant, the onsite substation and will be a maximum of 4 m high |

Conditions of this Environmental Authorisation

Scope of authorisation

1. The 226MW Kudusberg Wind Energy Facility (WEF) and associated infrastructure, between Matjiesfontein and Sutherland in the Western and Northern Cape Provinces is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised 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 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 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 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:

- 12.1. Cable routes (where they are not along internal roads);
 - 12.2. Position of wind turbines and associated infrastructure;
 - 12.3. Internal roads indicating width;
 - 12.4. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 12.5. 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;
 - 12.6. Substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 12.7. Connection routes (including pylon positions) to the distribution/transmission network;
 - 12.8. All existing infrastructure on the site, such as roads;
 - 12.9. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 12.10. Buildings, including accommodation; and,
 - 12.11. All "no-go" and buffer areas.
13. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Mr Muhammad Essop

Integrated Environmental Authorisations

Strategic Infrastructure Developments

Telephone Number: (012) 399 9406

Email Address: MEssop@environment.gov.za

14. The Environmental Management Programme (EMPr) for Kudusberg Wind Energy Facility must be submitted to the Department for written approval. 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 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 mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 15.3. The final site layout map.
 - 15.4. 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.
 - 15.5. 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.
 - 15.6. 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.
 - 15.7. 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.
 - 15.8. A construction and operational avifauna and bat monitoring plan.
 - 15.9. A conservation management plan must be drafted and submitted to SAHRA for review and comment. The management plan, as recommended by SAHRA must be included in the final EMPr.
 - 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 EIAr and this authorisation.
16. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
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 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.

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 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.
23. 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

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 the EIA Regulations, 2014 as amended.
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 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.
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. 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

Conditions for Non-operational aspects

34. All wind turbines as well as associated infrastructure (powerline and substations) must avoid all areas designated as "no-go" areas as well as their buffers.

35. The final layout plan must be amended to include the final placement of turbines which 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.
36. Roads must avoid no go areas where possible.
37. If archaeological heritage material, fossils and human remains are uncovered during construction, all work must cease immediately and be reported to the South African Heritage Resources Agency (SAHRA) so that a systematic and professional investigation / excavation can be undertaken.

General

38. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 38.1. at the site of the authorised activity;
 - 38.2. to anyone on request; and
 - 38.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
39. 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: 17/05/2021



Mr Sabelo Malaza

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

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities in the amendment application form received on 26 February 2021
- b) The information contained in the Final EA Amendment Assessment Report dated June 2019.
- c) The comments received as included in the BAR dated January 2019 and the Final EA Amendment Assessment Report dated February 2021
- d) Mitigation measures as proposed in the BAR and the Final EA Amendment Report.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2019 and the Final EA Amendment Assessment Report dated February 2021 and as appears below:

| Technical Discipline | Specialist Organisation | Lead Specialist |
|---|---|-----------------------|
| Surface Water/Aquatic Impact Assessment | Scientific Aquatic Services (SAS) | Mr Stephen van Staden |
| Surface Water Specialist | FEN Consulting – part of Scientific Aquatic Services (SAS) Environmental Group of Companies | Christel du Preez |
| Bats Assessment | Bioinsight (PTY) Ltd. | Miguel Mascarenhas |
| Ecological Assessment | David Hoare Consulting (Pty) Ltd | Dr David Hoare |
| Avifaunal Assessment | Bioinsight (PTY) Ltd. | Miguel Mascarenhas |
| Heritage Assessment | CTS Heritage | Jenna Lavin |
| Heritage Assessment | CTS Heritage | Nicholas Wiltshire |
| Noise Impact Assessment | SAFETECH | Dr Brett Williams |
| Socio-economic Assessment | Urban-Econ Development Economists | Elena Broughton |
| Socio-economic Assessment | Urban-Econ Development Economists | Marcel Theron |
| Agriculture and Soils | | Johann Lanz |
| Transportation Assessment | JG Afrika (Pty) Ltd | Iris Wink |
| Visual Impact Assessment | SiVEst | Kerry Schwartz |

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 provision of electricity to the national grid.
- c) The BAR dated January 2019 and Final EA Amendment Assessment Report dated February 2021 identified all legislation and guidelines that have been considered in the preparation of the Final EA Amendment Assessment Report.
- d) The location of turbines as presented in the final BAR dated January 2019 and the Final EA Amendment Assessment Report dated February 2021.
- e) The methodology used in assessing the potential impacts identified in the BAR dated January 2019, Final EA Amendment Assessment Report dated February 2021 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 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 BAR dated January and the Final EA Amendment Assessment dated February 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 information contained in the BAR dated January 2019 and Final EA Amendment Assessment dated February 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

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

Annexure 2: Locality Plan

