



forestry, fisheries & the environment

Department of
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: 14/12/16/3/3/2/2067

Enquiries: Mr Thando Bool

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Business Venture Investments No 1733 (Pty) Ltd
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PER EMAIL / MAIL

Dear Mr Gordon

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DEVELOPMENT OF THE 60MW KOKERBOOM 4 WIND ENERGY FACILITY, BESS AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF THE FARM AAN DE KARREE DOORN PAN NO 213 NEAR LOERIESFONTEIN IN THE NORTHERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation to replace the Environmental Authorisation for the construction of Kokerboom 3 Wind Energy Facility and its associated infrastructure on farms RE /213, 1/214, and 2/214 issued on 17 February 2018 (DFFE Reference: 14/12/16/3/3/2/1009). The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

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

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

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed.

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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: 02/03/2022

cc:	Charles Norman	Zutari (Pty) Ltd	Email: Charles.Norman@zutari.com
	Mrs Leburu	DENC: Northern Cape	Email: tmakaudi@ncpg.gov.za
	Mr Jan Swartz	Hantam Local Municipality	Email: jswartz@hantam.gov.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 proposed development of the 60MW Kokerboom 4 Wind Energy Facility, BESS and associated infrastructure on the Remainder of the Farm Aan de Karree Doorn Pan No 213 near Loeriesfontein in the Northern Cape Province

Namakwa District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/2067</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Business Venture Investments No 1733 (Pty) Ltd</i>
Location of activity:	<i>Remainder of the Farm Aan de Karree Doorn Pan, No. 213, in ward 5 of Hartam Local Municipality within the Namakwa District Municipality in the Northern Cape Province</i>

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 –

Business Venture Investments No 1733 (Pty) Ltd

with the following contact details –

Richard Gordon

P. O. Box 23101

CLAREMONT

7735

Telephone Number: (021) 670 1423

Cell phone Number: 083 318 3982

Email Address: stephnie.kot@aced.co.za

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

Activity numbers	Activity description
<p><u>Listing Notice 1, Item 11 (i):</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity- (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts"</i></p>	<p>An on-site collector substation, including a BESS, would be required for the Kokerboom 4 Wind Farm which would step up power from 33kV to 132kV. Turbines would be linked to each other and the on-site substation via subterranean medium voltage cables (~33kV).</p>
<p><u>Listing Notice 1, Item 12 (ii) (a) (c):</u> <i>"The development of – (ii) infrastructure or structures with a physical footprint of 100m² or more; Where such development occurs – (a) within a watercourse; (c) if no development setback exists, within 32m of a water course, measured from the edge of a watercourse";</i></p>	<p>Drainage lines scattered across the proposed site. The proposed roads, power lines and/ or other infrastructure are to cross these drainage lines or be within 32m thereof. The total footprint of all infrastructure to be developed within 32m of the delineated drainage lines will exceed 100m² but will be up to a maximum of 0.30ha, when considering all drainage line crossings across the site.</p>
<p><u>Listing Notice 1: Item 14</u> <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 500cubic metres".</i></p>	<p>The approximate area of 2ha has been designated for battery storage within the substation and O&M complex. The BESS will have a capacity of up to 70MWh and would utilise either lithium-ion or redox flow technology. The maximum volume of dangerous goods to be "stored" (contained) within the BESS is up to 30m³ and the maximum volume of fuel to be stored on site during construction will be up to 80m³.</p> <p>While other dangerous goods may also be stored on site (oil, lubricants, degreasers etc.), the total</p>

	<p>volume of all dangerous goods stored on site will not exceed 500m³.</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 infilling or depositing of any material of more than 10m³ into a watercourse will be triggered with the construction of internal service roads or cables across drainage lines</p>
<p><u>Listing Notice 1, Item 24(ii)</u></p> <p><i>"The development of a road - ii) with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>Existing farm tracks would be utilized and upgraded where possible, however, new roads would also be developed. A total road length of approximately 16km will be required. A road reserve with a total of 20m is required; this accounts for a 6m road surface width, 1m for side drains either side, and a further 6m either side of the road surface for MV cable trenches and associated disturbance.</p>
<p><u>Listing Notice 1, Item 28(ii)</u></p> <p><i>"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"</i></p>	<p>The proposed farm portions on which the project is proposed are being used for livestock grazing (mostly sheep).</p>
<p><u>Listing Notice 1, Item 56(ii)</u></p> <p><i>"The widening of a road by more than 6m, or lengthening of a road by more than 1km – (ii) where no reserve exists, where the existing road is wider than 8m".</i></p>	<p>Access roads of approximately 8m in width, with a 12m buffer/ road reserve would be required to develop the proposed WEF and in combination would exceed 1km. Existing roads would be used as far as practically possible and feasible, but would require widening by more than 6m.</p>

	<p>A road reserve with a total width of 20m is required; this accounts for a 6m road surface width, 1m for side drains either side, and a further 6m either side of the road surface for MV cable trenches and associated disturbance.</p> <p>After construction the road would be rehabilitated down to 8m wide (6m wide road surface + 1m drain either side) (i.e. 8m road width is permanent with an additional 12m temporary during construction making up the 20m road reserve)</p>
<p><u>Listing Notice 2, Item 1</u> <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 wind farm would have a maximum generation capacity of up to 60MW.</p>
<p><u>Listing Notice 2, Item 15</u> <i>"The clearance of an area of 20 hectares or more of indigenous vegetation"</i></p>	<p>Physical alteration of undeveloped land for the WEF would take place of clearing of indigenous vegetation. The total area to be disturbed is expected to be approximately 52.4ha temporary and 36.5ha permanent.</p>
<p><u>Listing Notice 3, Item 18</u> <i>"The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometre</i> g. Northern Cape <i>ii. Outside urban areas:</i> <i>(ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland."</i></p>	<p>Access roads of approximately 8m in width, with an approximate 12m wide buffer/ road reserve would be required to develop the proposed wind farm and in combination will exceed 1km. Existing roads would be used as far as practically possible and feasible, but would require widening by more than 4m. Some of these roads will traverse drainage lines or fall within 100m from the edge of a watercourse or wetland.</p> <p>A road reserve with a total width of 20m is required; this accounts for a 6m road surface</p>

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	<p>width, 1m for side drains either side, and a further 6m either side of the road surface for MV cable trenches and associated disturbance.</p> <p>After construction the road would be rehabilitated down to 8m wide (6m wide road surface + 1m drain either side) (i.e. 8m road width is permanent with an additional 12m temporary during construction making up the 20m road reserve).</p>
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as described in the Environmental Impact Assessment Report (EIAR) dated 22 October 2021 at:

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Kokerboom 4 Wind Energy Facility	Latitude	Longitude
1	30° 25' 58,022" S	19° 33' 26,989" E
2	30° 25' 3,270" S	19° 29' 40,704" E
3	30° 21' 41,677" S	19° 34' 41,099" E
4	30° 25' 58,022" S	19° 33' 26,989" E

- for the proposed development of the 60MW Kokerboom 4 Wind Energy Facility, BESS and associated infrastructure on the Remainder of the Farm Aan de Karree Doom Pan, No. 213, in ward 5 of Hantam Local Municipality within the Namakwa District Municipality in the Northern Cape Province, hereafter referred to as "the property".

The facility will comprise the following:

Component	Description/ Dimensions
Wind turbines	<p>Up to a maximum of 12 wind turbines (6.5MW each).</p> <ul style="list-style-type: none"> • Turbine envelope: <ul style="list-style-type: none"> ➤ Rotor diameter: up to 180m (90m blade) ➤ Hub height: up to 150m ➤ Rotor top tip height: up to 240m

	<ul style="list-style-type: none"> ➤ Steel or concrete towers • Kokerboom 4 has a targeted nameplate capacity of up to a maximum of 60MW
Turbine foundations and hardstands	<ul style="list-style-type: none"> • At each turbine position there will be <ul style="list-style-type: none"> ➤ A hardstand area of up to 150m x 100m ➤ A laydown/assembly area of up to 150m x 15m • The turbine hardstands and laydown areas will be located within a 100m radius of the turbine base. • Turbine foundations will be reinforced concrete spread footings and/ or piled foundations with an approx. 26m diameter and will have a construction footprint of 32m X 32m (including the foundation)
Cabling	<p>Turbines to be connected to an on-site substation via 33kV cables. Cables to be laid underground in trenches parallel to the roads within the road reserve. No overhead MV lines will run from the turbines to the on-site substation</p>
Site roads	<p>Existing farm tracks will be utilized and upgraded where possible, however new roads will also be developed.</p> <p>A total road length of approximately 16km will be required.</p> <p>A 20m wide road reserve is required; this accounts for a 6m road surface width, 1m for side drains either side, and a further 6m either side of the road surface for MV cable trenches and associated disturbance.</p> <p>After construction the road will be rehabilitated down to 8m wide (6m wide road surface + 1m drain either side) (i. e. 8m road width is permanent with an additional 12m temporary during construction making up the 20m road reserve).</p>
Facility Substation and O&M Complex	<p>A 5ha area has been identified for the substation and operational and management (O&M) complex. The following Infrastructure would be located within 5ha area:</p> <ul style="list-style-type: none"> • Facility substation (approx. 1ha)

	<ul style="list-style-type: none"> • O&M building (approx. 0.5ha) • Oil storage area (less than 30m³) (approx. 0.1ha) • Battery Energy Storage Facility (approx. 2ha) • Associated facilities including the parking area.
BESS	<p>The approximate area of 2ha has been designated for battery storage within the substation and O&M Complex. The BESS will have a capacity of up to 70MWh and will utilise either lithium-ion or redox flow technology.</p>
Construction laydown areas	<p>Three construction laydown areas of up to 15ha each are proposed - one near the entrances of the site and the other near the substation. One or both will be required during the construction period. The laydown areas will include temporary site offices, stores, workshops, turbine storage areas, fuel storage, workers mess and ablution facilities. These areas will be rehabilitated after construction.</p>
Concrete batch plant	<p>A centralised concrete batch plant would be erected for the concrete works required during construction. An area of approximately 100m x 100m is required for the batch plant. The batch plant area would include aggregate stockpile areas, cement silos, truck parking areas and the batch plant itself. The batch plant will be located within one of the indicated laydown areas.</p>
Total disturbance footprint	<p>36.5ha permanent and 52.4ha temporary</p>

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed development of the 60MW Kokerboom 4 Wind Energy Facility, BESS and associated infrastructure on the Remainder of the Farm Aan de Karree Doom Pan, No. 213, in ward 5 of Hantam Local Municipality within the Namakwa District Municipality in the Northern Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised 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 (5) 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 to the 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 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. The position of the wind turbines;
 - 12.2. All associated infrastructure (existing and proposed);
 - 12.3. 200m buffer zone around the water bodies;

- 12.4. 300m buffer around the Pale Chanting Goshawk nest;
 - 12.5. Turbine buffer from the edge of the pans, i.e. pan 1, 2 and 4 – 800m and 500m buffer for pan 3;
 - 12.6. Heritage features and its buffer zone (i.e. way point 656);
 - 12.7. All sensitive features on site; and
 - 12.8. All “no-go” and buffer areas.
13. The Environmental Management Programme (EMPr) submitted as part of the EIA is not approved and must be amended to include measures as dictated by the final site lay-out map. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
 14. The amended EMPr must include the final layout map.
 15. The amended EMPr must take into consideration the following:
 - The risk assessment of BESS technology preferred (the report indicated that either lithium – ion or redox).
 - The assessment of the impact on SKA in the area as the degradation of performance is expected.
 - Electro Magnetic Compatibility (EMC) Control Plan must be developed once a technology is selected.
 - The turbine technology installation as mitigation measures to reduce impacts should be integrated into the design of WEF.
 16. The EMPr 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 EIA 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 28 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. 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. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Human Settlement, Water and Sanitation.
35. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
36. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of protected or endangered plant or animal species.
37. The post construction monitoring programme for birds appended to the Bird Impact Assessment Report dated July 2021 as appendix F must be implemented.
38. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
39. The following buffer zones must be implemented for the proposed development:
- 200m buffer around the water bodies;
 - 300m buffer around the Pale Chanting Goshawk nest;
 - Turbine buffer from the edge of the pan i.e. 800m from pan 1, 2 and 4 and 500m from pan 3.
40. Should archaeological sites or graves be exposed in other areas during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.
41. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. 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 No.59 of 2008).

General

42. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 42.1. at the site of the authorised activity;
 - 42.2. to anyone on request; and
 - 42.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
43. 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: 03/03/2022



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

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 05 May 2021, amended application received on 22 October 2021 and agreement regarding wake effects between the Applicant, Khobab and Loerisfontein developers dated 16 February 2022.
- b) The information contained in the final EIAr dated 22 October 2021.
- c) The comments received from interested and affected parties as included in the EIAr dated 22 October 2021.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated 22 October 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 need for the proposed project stems from the provision of electricity to the national grid.
- c) The EIAr dated 22 October 2021 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed wind energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated 22 October 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 as amended for public involvement.

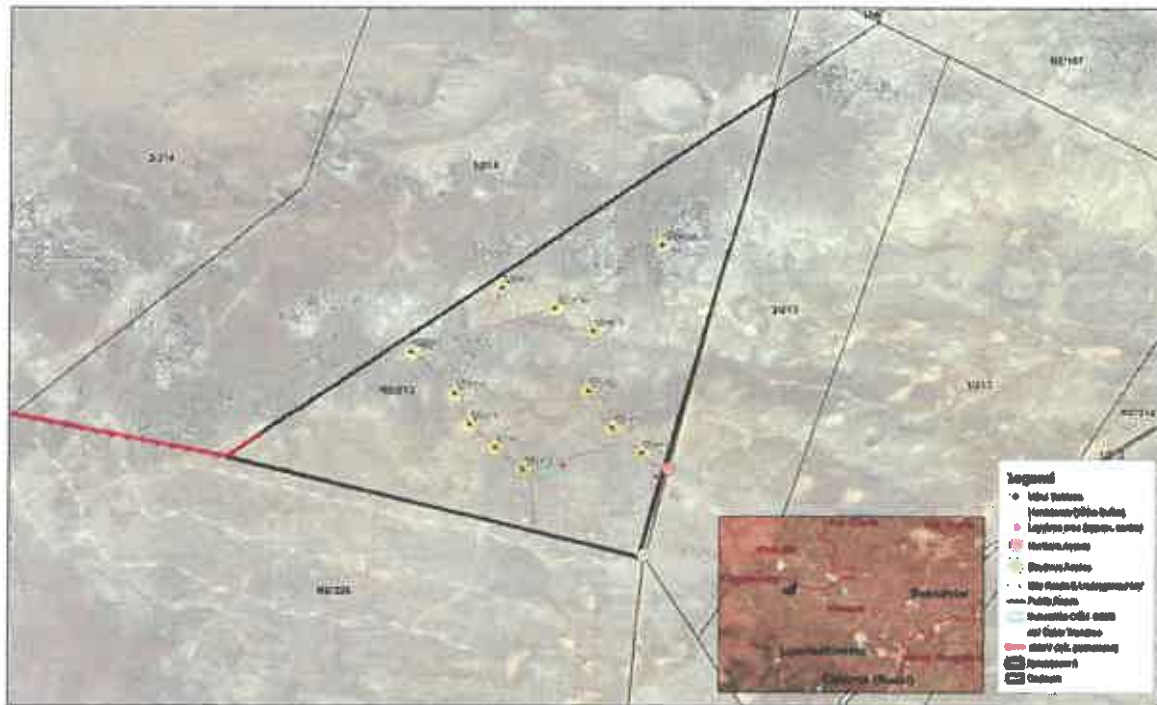
3. Findings

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

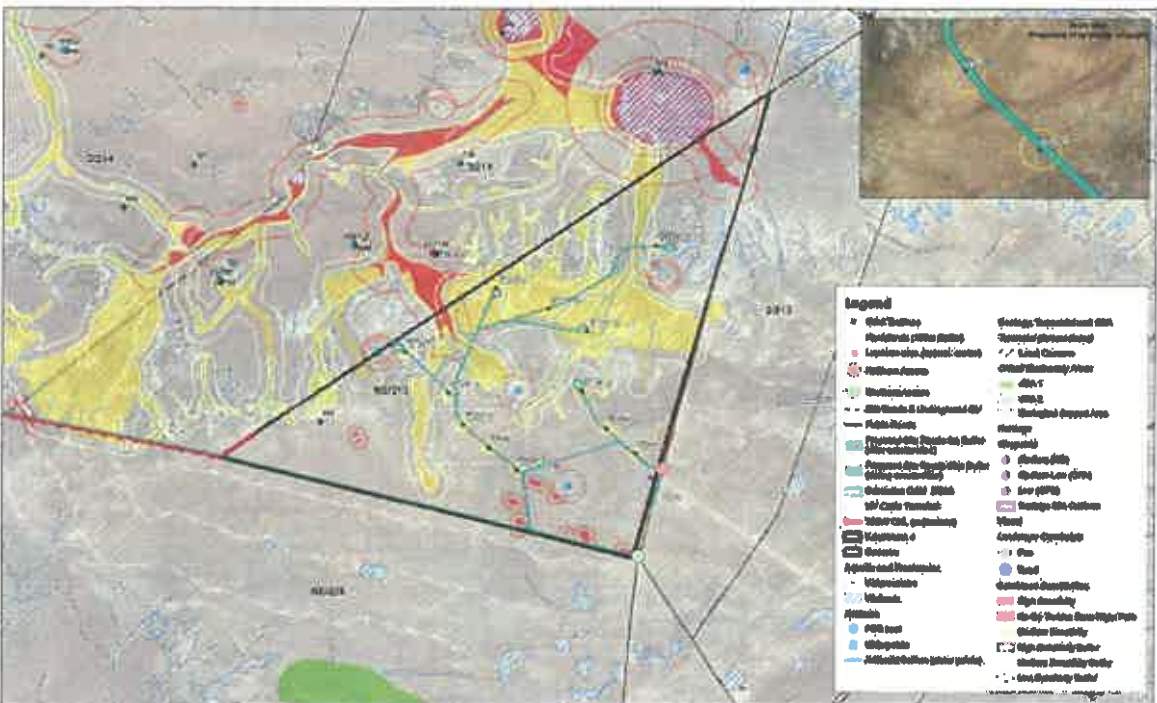
- a) The identification and assessment of impacts are detailed in the EIA dated 22 October 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIA 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.

Layout plan



	BVI 1733	LOCALITY and FINAL LAYOUT (Excluded of Environmental)	PROPOSED HOUSING 4 DWG 001	SCALE: 1:5000 DATE: 12/2016 PROJECT NUMBER: 14/12/16/3/3/2/2067
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	BVI 1733	FINAL LAYOUT AND ENVIRONMENTAL ON ENVIRONMENTAL AUTHORISATION	PROPOSED HOUSING 4 DWG 001	SCALE: 1:5000 DATE: 12/2016 PROJECT NUMBER: 14/12/16/3/3/2/2067
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