



## environmental affairs

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA  
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

**NEAS Reference:** DEAT/EIA/12668/2011

**Reference:** 12/12/20/1967

**Enquiries:** Oscar Makhale

**Telephone:** (012) 395 1772 **Fax:** (012) 320 7539 **E-mail:** [OMakhale@environment.gov.za](mailto:OMakhale@environment.gov.za)

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Mr Kilian Hagemann  
Richtersveld Wind Farm (Pty) Ltd  
125 Buitengracht Street  
**CAPE TOWN**  
8001

Fax no: (086) 514 1735

**PER FACSIMILE / MAIL**

Dear Mr Hagemann

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

*Kerisha Reddy*  
10/08/2021

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 385, 386 AND 387: PROPOSED CONSTRUCTION OF THE RICHTERSVELD WIND FARM LOCATED APPROXIMATELY 30KM SOUTH-EAST OF ALEXANDER BAY AND 55KM NORTH OF PORT NOLLOTH, RICHTERSVELD LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE**

With reference to the above application, please be advised that the Department has decided to accept the final Environmental Impact Report (EIR) dated November 2011 and grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

*[Handwritten signature]*

By facsimile: 012 320 7561;  
By post: Private Bag X447,  
Pretoria, 0001; or  
By hand: 2nd Floor, Fedsure Building, North Tower,  
cnr. Van der Walt and Pretorius Streets,  
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Environmental Impact Evaluation*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

Mr T Zwane, Senior Legal Administration Officer (Appeals) of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: [tzwane@environment.gov.za](mailto:tzwane@environment.gov.za)

The authorised activity/ies shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely

**Mr Sonnyboy Bapela**

**Acting Deputy Director-General: Legal, Authorisations, Compliance and Enforcement (LACE)**  
**Department of Environmental Affairs**

Date: 23/05/2012

CC:	Ms T Swanepoel	Environmental Resources Management Southern Africa (Pty) Ltd	Tel: 021-902-9100	Fax: 021-701-9700
	Ms D Moleko	Northern Cape Department of Environment and Nature Conservation	Tel: 053-807-7430	Fax: 053-831-3530
	Mr J Cloete	Richtersveld Local Municipality	Tel: 027-851-1111	Fax: 027-851-1111
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

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**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA])	1. Receive EA from Applicant/Consultant
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> <li>a notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> <li>a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

**NOTES:**

- An appeal against a decision must be lodged with:-**
  - the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  - the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- An appeal lodged with:-**
  - the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  - the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
- An appeal must be:-**
  - submitted in writing;
  - accompanied by:
    - a statement setting out the grounds of appeal;
    - supporting documentation which is referred to in the appeal; and
    - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

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## Environmental Authorisation

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In terms of regulation 37 of the Environmental Impact Assessment Regulations, 2006

Establishment of the Richtersveld Wind Energy Facility located approximately 30km south-east  
of Alexander Bay and 55km north of Port Nolloth in the Northern Cape Province

### Namakwa District Municipality

<b>Authorisation register number:</b>	12/12/20/1967
<b>NEAS reference number:</b>	DEAT/EIA/12668/2011
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Richtersveld Wind Farm (Pty) Ltd
<b>Location of activity:</b>	NORTHERN CAPE PROVINCE: On Part of Korridor Wes Farm (Witbank (Farm 6/2), Korridor Wes Farm (Rooibank (Farm 7/2) and Farm Re/1, 30km south-east of Alexander Bay and 55km north of Port Nolloth within the Richtersveld Local Municipality.

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

## 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 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 107 of 1998) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises –

### **RICHTERSVELD WIND FARM (PTY) LTD**

with the following contact details –

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Richtersveld Wind Farm (Pty) Ltd  
125 Buitengracht Street  
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Tel: (021) 409 7024  
Fax: (086) 514 1735  
Cell: (082) 768 9830  
E-mail: kilian@g7energies.co.za

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to undertake the following activities (hereafter referred to as "the activity"):

**GN R. 386:**



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Item 1 (m): The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in or near the backline of a river or stream, or within 32m from the back of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including (i) canals; (ii) channels; (iii) bridges; (iv) dams; and (v) weirs.

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Item 7: The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres and less than 1000 cubic metres at any one location or site.

Item 12: The transformation or removal of indigenous vegetation of 3 hectares or more or of any size where the transformation or removal would occur within a critically endangered or an endangered ecosystem listed in terms of section 52 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).

Item 15: The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.

Item 16 (b): The transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.

**GN R. 387:**

Item 1 (a): The construction of facilities or infrastructure, including associated structures or infrastructure, for the generation of electricity where (i) the electricity output is 20 megawatts or more; or (ii) the elements of the facility cover a combined area in excess of 1 hectare.

Item 1 (l): The construction of facilities or infrastructure, including associated structures or infrastructure, for the transmission and distribution of above ground electricity with capacity of 120 kilovolts or more.

*[Signature]*

Item 2: Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be 20 hectares or more.

as described in the Environmental Impact Assessment Report (EIR) dated November 2011 at:

Site Layout Alternative 2	Latitude	Longitude
Southern starting point of activity	28° 49'40.26"S	16°41'27.54"E
Middle point of activity	28° 44'2.36"S	16°46'33.14"E
Northern end point of activity	28° 38'45.35"S	16°53'4.87"E

- for the construction of the 207MW Richtersveld Wind Energy Facility (WEF) on part of Korridor Wes Farm (Witbank (Farm 6/2), Korridor Wes Farm (Rooibank (Farm 7/2) and Farm Re/1 located approximately 30km south-east of Alexander Bay and 55km north of Port Nolloth, which falls within the Richtersveld Local Municipality in the Namakwa District Municipality, Northern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Up to 69 wind turbines (based on Final Layout 2), each turbine will have an output of 2MW – 3MW, turbine hub height of 100m, and with a rotor diameter from tip of blade to tip of blade of 117 m.
- Above ground concrete foundation of approximately 5 m x 5 m to support the turbine towers; underground concrete foundation of approximately 20 m x 20 m x 3.5m (depth) at its base and a gravel hard standing and lay-down area (of approximately 2,500 m<sup>2</sup>) adjacent to the turbine foundation.
- Underground (approximately 1m deep) 33kV cabling, linking the wind turbines to a 33/132kV substation.
- One 33/132kV substation to be located within the development site. This substation will have a high-voltage (HV) yard footprint of approximately 160m x 160m in size.
- Internal roads (approximately 12 m in width) linking the wind turbines and other infrastructure on the site.
- The site would be accessed via a public road from the R382
- A 220kV overhead transmission line (approximately 4.9 km) between the substation and the existing transmission lines further east.

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- A small linking station at the point of intersection with the existing transmission lines.

## Conditions

### Scope of authorisation

1. The preferred Site Layout Alternative 2 (S2) with its associated infrastructure is approved.
2. Authorisation of the activity is subject to the conditions contained in this 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 on page 4.
5. Any changes to, or deviations from, the project description set out in this 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 authorisation in terms of the regulations.
6. This activity must commence within a period of three (3) years from the date of issue. 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.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

### Notification of authorisation

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9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) 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 Chapter 7 of the Environmental Impact Assessment (EIA) Regulations, 2010;
  - 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 for the decision.

### Management of the activity

11. A copy of the final site layout plan must be submitted to the Department for written approval prior to commencement of the activity. The final site plan must also be submitted to the Department of Science and Technology for their input on the light abatement related to the Sutherland area. All available biodiversity information must be used in the finalisation of the layout plan. The site layout plan must indicate the following:

- 11.1 Turbine positions;
- 11.2 Foundation footprint;
- 11.3 Permanent laydown area footprint;
- 11.4 Construction period laydown footprint;
- 11.5 Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
- 11.6 Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
- 11.7 The location of Heritage sites;
- 11.8 Sub-station(s) and/or transformer(s) sites including their entire footprint;
- 11.9 Cable routes and trench dimensions (where they are not along internal roads);
- 11.10 Connection routes (including pylon positions) to the distribution/transmission network;
- 11.11 Cut and fill areas at turbine sites along roads and at sub-station/transformer sites indicating the expected volume of each cut and fill;
- 11.12 Borrow pits;

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- 11.13 Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
  - 11.14 All existing infrastructure on the site, especially roads;
  - 11.15 Buildings including accommodation; and
  - 11.16 All "no-go" areas.
12. A map combining the final layout plan must also be superimposed (overlain) on an environmental sensitivity map to be submitted to the department.
  13. The Environmental Management Plan (EMP) submitted as part of the application for environmental authorisation must be amended and submitted to the Department for written approval prior to commencement of the activity.
  14. The EMP amendment must include the following:
    - 14.1 All recommendations and mitigation measures recorded in the EIR dated November 2011.
    - 14.2 The requirements and conditions of this authorisation.
    - 14.3 A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
    - 14.4 An open space management plan to be implemented during the construction and operation of the facility.
    - 14.5 A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility including timeframes for restoration which must indicate rehabilitation within the shortest possible time after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
    - 14.6 An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
    - 14.7 A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.



- 14.8 An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- 14.9 An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
- 14.10 A transportation plan for the transport of turbine components, main assembly cranes and other large pieces of equipment.
- 14.11 A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
- 14.12 An avifauna and bat monitoring programme to document the effect of the operation of the energy facility on avifauna and bats. This must be compiled by a qualified specialist.
- 14.13 Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
- 14.14 An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
15. The approved EMP must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the EMP, which are environmentally defensible, shall be submitted to this Department for acceptance before such changes could be effected.
17. The Department reserves the right to request amendments to the EMP should any impacts that were not anticipated or covered in the EIR be discovered.
18. The holder of this authorisation must appoint qualified vegetation, fauna, heritage and avifauna specialists to ground-truth every infrastructure footprint and their recommendation must inform the final layout of the facility and the EMP to be submitted to the department for approval.

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### Environmental Control Officer (ECO) and duties

19. The holder of this authorisation must appoint an independent Environmental Control Officer (ECO) with experience or expertise in the field for the construction phase of the development. The ECO will have the responsibility to ensure that the conditions referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.
20. The ECO must be appointed before commencement of any authorised activity.
21. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
22. 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.
23. The ECO must:
  - 23.1. Keep record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
  - 23.2. Keep and maintain a detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register on site indicating how these issues were addressed, what rehabilitation measures were taken and what preventative measures were implemented to avoid re-occurrence of incidents/complaints.
  - 23.3. Keep and maintain a daily site diary.
  - 23.4. Keep copies of all reports submitted to the Department.
  - 23.5. Keep and maintain a schedule of current site activities including the monitoring of such activities.
  - 23.6. Obtain and keep record of all documentation, permits, licences and authorisations such as waste disposal certificates, hazardous waste landfill site licences etc. required by this facility.
  - 23.7. Compile a monthly monitoring report.

### Recording and reporting to the Department

24. The holder of this authorisation must keep all records relating to monitoring and auditing on site and make it available for inspection to any relevant and competent authority in respect of this development.

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25. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at the Department

**Environmental audit report**

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26. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.

27. The environmental audit report must:

- 27.1. Be compiled by an independent environmental auditor;
- 27.2. Indicate the date of the audit, the name of the auditor and the outcome of the audit;
- 27.3. Evaluate compliance with the requirements of the approved EMP and this environmental authorisation;
- 27.4. Include measures to be implemented to attend to any non-compliances or degradation noted;
- 27.5. Include copies of any approvals granted by other authorities relevant to the development for the reporting period;
- 27.6. Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed;
- 27.7. Include a copy of this authorisation and the approved EMP;
- 27.8. Include all documentation such as waste disposal certificates, hazardous waste landfill site licences etc. pertaining to this authorisation; and
- 27.9. Include evidence of adherence to the conditions of this authorisation and the EMP where relevant such as training records and attendance records.

Kahny 10/08/2021

**Commencement of the activity**

28. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
29. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.

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30. The applicant must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource. A copy of the license must be submitted to the *Director: Environmental Impact Evaluation* at the Department.

#### Notification to authorities

31. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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. This notification period may coincide with the Notice of Intent to Appeal period.

#### Operation of the activity

32. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.
33. The applicant must compile an operational EMP for the operational phase of the activity or alternatively, if the applicant has an existing operational environmental management system, it must be amended to include the operation of the authorised activity.

#### Site closure and decommissioning

34. Should the activity ever cease or become redundant, the applicant shall 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

##### Authorised turbines

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35. Turbines must be positioned in such a way that shadow flicker does not affect any farm and residential buildings.

Avifauna and bats

36. The bird and bat monitoring programme must be implemented to document the effect of the operation of the energy facility on avifauna and bats. This must commence prior to construction, and continue during operation of the energy facility.
37. The results of the pre-construction bird monitoring programme must inform the final layout and the construction schedule of the energy facility.
38. Reports regarding bird monitoring must be submitted to the relevant provincial environmental department, Birdlife South Africa, the Endangered Wildlife Trust (EWT) and this Department on a quarterly basis. The report will assist all stakeholders in identifying potential and additional mitigation measures and to establish protocols for a bird monitoring programme for wind energy development in the country.
39. The data collected and documented during the pre-construction and operational monitoring must be shared with the EWT and Birdlife South Africa for a better understanding of the distribution or breeding behaviour of any of the priority species. Confirmation of this interaction must accompany the final layout plan to be submitted to this Department.
40. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g. grasslands, rivers, wetlands, and dams). The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitment of anti-collision devices. These devices must be according to Eskom's Transmission Guidelines.
41. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce the impacts associated with glare and light trespass. Confirmation of the input of the lighting engineer must be included in the final site layout plan.
42. Night lighting must be restricted to only what is required for the safe and efficient management of the activity.
43. Lighting for both the construction period and through the operation of the facility must be of the low pressure sodium type. All perimeter and security lighting must be attached to motion detectors.
44. Lighting on the turbines must be kept to a minimum and must be coloured (red or green) and intermittent, rather than permanent and white, to reduce confusion effects for nocturnal migrants.
45. Turbines must be located at least 300m away from any water bodies on site to reduce the risk of collision/barotrauma, furthermore, turbines must be located at least 200m from structures such as buildings that may provide roosts.

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46. The facility must be designed to discourage the use of infrastructure components as perching or roosting substrates by birds and bats.

Vegetation, wetlands and water resources

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47. Vegetation clearing must be limited to the authorised footprint.
48. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation.
49. Comprehensive search and rescue must be conducted for threatened and near threatened plant and animal species as well as individuals of protected trees within the footprint of the proposed development prior to commencement of any construction activities. For plants the said search and rescue must be undertaken during the appropriate season and if any animals or plants are found, localised modifications in the position of infrastructure must be made to avoid such populations. A suitable buffer zone must be created.
50. Construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
51. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken as early as possible on disturbed areas.
52. All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
53. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
54. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
55. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs.
56. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
57. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).

*[Signature]*



58. The holder of this authorisation must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
59. Contractors and construction workers must be clearly informed of the no-go areas.
60. Siting of turbines shall adhere to >500m setbacks from large water bodies, riparian vegetation and rocky crevices, if and where high bat occurrence is found after monitoring.
61. Where roads pass right next to major water bodies provision shall be made for fauna such as toads to pass under the roads by using culverts or similar.
62. Bridge design must be such that it minimise impact to riparian areas with minimal alterations to water flow and must allow the movement of fauna and flora.

#### Roads and transportation

63. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information.
64. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
65. All structures crossing streams must be located and constructed so that they do not decrease channel stability or increase water velocity.
66. Existing drainage must not be altered, especially in sensitive areas.
67. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
68. Signage must be erected at appropriate points warning of turning traffic and the construction site.
69. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.

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Original noise impacts.

*Kathy 10/08/2021*

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#### Noise

70. Construction staff must be trained in actions to minimise noise impacts.
71. The holder of this authorisation must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and measures to limit noise from the work site are implemented.
72. The holder of this authorisation must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
73. The holder of this authorisation must ensure that all equipment and machinery are well maintained and equipped with silencers.

*[Signature]*

74. The holder of this authorisation must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
75. All noisy construction operations should only occur during daylight hours.
76. All wind turbines must be located at a setback distance of 500m from any homestead and a day/night noise criteria level at the nearest residents of 45dB(A) should be used to locate the turbines. The 500m setback distance can be relaxed if local factors; such as high ground between the noise source and the receiver, indicates that a noise disturbance will not occur.
77. Positions of turbines jeopardizing compliance with accepted noise levels should be revised during the micro-siting of the units in question and predicted noise levels re-modelled by a noise specialist, in order to ensure that the predicted noise levels are less than 45dB(A).

#### Visual resources

78. The holder of this authorisation must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
79. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.
80. All turbines must be located 500m from the nearest inhabited homestead or settlements
81. Signage on or near wind turbines must be avoided unless they serve to inform the public about wind turbines and their function.
82. Commercial messages and graffiti on turbines must be avoided.
83. The paint used on the blades and tower of the turbines must be selected to reduce blade glint.

#### Human health and safety

84. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for wind turbines from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the wind turbines.

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*[Signature]*

85. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.
86. The holder of this authorisation must ensure that the operation of the wind facility has minimal electromagnetic interference (EMI) (i.e. impacts to microwave, radio and television transmissions) and should comply with the relevant communication regulations.
87. The holder of this authorisation must obtain approval from the South Africa Civil Aviation Authority that the wind facility will not interfere with the performance of aerodrome radio Communication, Navigation and Surveillance (CNS) equipment, especially the radar, prior to commencement of the activity. The approval must be submitted to the Director: Environmental Impact Evaluation.
88. The holder of this authorisation must obtain approval from the South Africa Weather Services (WeatherSA) that the energy facility will not interfere with the performance of their equipment, especially radar, prior to commencement of the activity. The approval must be submitted to the Director: Environmental Impact Evaluation.
89. The holder of this authorisation must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
90. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction should be scheduled to take place within the post-harvest and pre-planting season, when fields are lying fallow.
91. No unsupervised fires for cooking or heating must be allowed on site.

Hazardous materials and waste management

92. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
93. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
94. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site licensed to accept such waste.
95. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
96. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.

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97. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
98. Temporary bunds must be constructed around chemical storage to contain possible spills.
99. Spill kits must be made available on-site for the clean-up of spills.
100. 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 shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
101. Temporary ablution facilities must be provided for staff during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permited waste site or waste water treatment plant, and must be removed from the site when the construction phase is completed.

#### Excavation and blasting activities



102. Underground cables and internal access roads must be aligned where feasible along existing infrastructure to limit damage to vegetation and watercourses.
103. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
104. Borrow materials must be obtained only from authorized and permitted sites.
105. Anti-erosion measures such as silt fences must be installed in disturbed areas.

#### Air emissions

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

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Historical / cultural / paleontological resources

108. All heritage and/or archaeological sites on project site (including sites 3, 4 and 6 as indicated on the South African Heritage Resources Agency (SAHRA) comments dated 12 January 2012) must be retained and fenced off at least temporarily during construction. The boundaries of the sites must be identified by the archaeologist.
109. A professional archaeologist (with an already authorised collection permit) must be appointed for the construction phase to monitor and identify possible archaeological material remains and features that may occur below the surface and further make appropriate recommendations on removing and / or protecting the archaeological material remains and features during excavation activities.
110. If concentrations of archaeological heritage material and human remains are uncovered during construction, all work must cease immediately, the discovered area must be cordoned off and be reported to the South African Heritage Resources Agency (SAHRA) so that a systematic and professional investigation/excavation can be undertaken.
111. The construction of wind turbines must not affect the Nama herders who will continue to exercise a traditional way of life.

112. A Palaeontologist must be appointed phase.

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Overhead power line

113. A walk-through survey of the final power line corridor must be undertaken by a botanical specialist, an ornithologist and a heritage specialist to identify areas where mitigation may be required.

**General**

114. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be provided to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
115. The holder of the authorisation must notify both the Director: Environmental Impact Evaluation and the Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

*K Reddy* 10/08/2021

*[Signature]*

116. 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 this authorisation or his 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 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: 28/05/2019



Mr Sonnyboy Bapela

Acting Deputy Director-General: Legal, Authorisations, Compliance and Enforcement (LACE)

Department of Environmental Affairs

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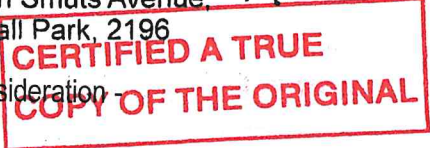


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# Annexure 1: Reasons for Decision

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## 1. Information considered in making the decision

- In reaching its decision, the Department took, *inter alia*, the following into consideration
- a) The information contained in the EIR dated November 2011.
  - b) The comments received from Organs of State and interested and affected parties as included in the EIR dated November 2011.
  - c) Mitigation measures as proposed in the EIR dated November 2011 and the EMP.
  - d) The information contained in the specialist studies contained in the EIR dated November 2011.
  - e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

## 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, identified issues and recommended mitigation measures which were deemed to be acceptable.
- b) The need for the proposed project stems from the provision of electricity to the national grid in terms of the REFIT Programme and the provision of electricity from Independent Power Producers as required by the Department of Energy.
- c) The EIR dated November 2011 identified all legislation and guidelines that have been considered in the preparation of the EIR.
- d) The methodology used in assessing the potential impacts identified in the EIR dated November and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the holder of this authorisation has satisfied the minimum requirements as prescribed in the EIA Regulations, 2006 for public involvement.
- f) Where additional studies/monitoring were identified, these have been included in the EMP which must be approved before construction can continue.
- g) Findings of a site visit undertaken by the department.


### 3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIR dated November 2011 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) From the information contained in the EIR dated November 2011 there are no environmental fatal flaws that could prevent the proposed facility and associated infrastructure from proceeding on the identified site, provided that the recommended mitigation measures are implemented.
- e) All legal and procedural requirements have been met.
- f) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIR and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

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NEAS Reference: DEAT/EIA/12668/2011

DEA Reference: 12/12/20/1967

Enquiries: Oscar Makhale

Telephone: 012-395-1772 Fax: 012-320-7539 E-mail: omakhale@environment.gov.za

10/08/2021

Mr. Methuli Mbanjwa  
Richtersveld Wind Farm (Pty) Ltd  
125 Buitengracht Street  
CAPE TOWN  
8001

Fax no: 086-514-1735

PER FACSIMILE / MAIL

Dear Mr. Mbanjwa



**AMENDMENT OF ENVIRONMENTAL AUTHORISATION: CONSTRUCTION OF RICHTERSVELD WIND FARM LOCATED APPROXIMATELY 30KM SOUTH-EAST OF ALEXANDER BAY AND 55KM NORTH OF PORT NOLLOTH WITHIN THE RICHTERSVELD LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY IN NORTHERN CAPE PROVINCE**

The Department's decision on the above application issued on 28 May 2012 and your correspondence dated 27 July 2012 refer.

Based on a review of the reason for requesting an amendment to the above authorisation, the Department, in terms of regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the Environmental Authorisation (EA) dated 28 May 2012 as follows:

The description of project infrastructure pertaining to the sub-station in the EA dated 28 May 2012 is hereby amended from:

- "One 33/132kV sub-station to be located within the development site. This sub-station will have a high voltage (HV) yard footprint of approximately 160m x 160m in size.
- Underground (approximately 1m deep) 33kV cabling, linking the wind turbines to a 33/132kV sub-station."

To:

- One 33/220kV sub-station to be located within the development site. This sub-station will have a high voltage (HV) yard footprint of approximately 160m x 160m in size.
- Underground (approximately 1m deep) 33kV cabling, linking the wind turbines to a 33/220kV sub-station.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing

and within 12 (twelve) days of the date of the Department's amendment decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the amendment decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By facsimile: 012 320 7561;

By post: Private Bag X447,  
Pretoria, 0001; or

By hand: 2nd Floor, Fedsure Building, North Tower,  
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,  
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

**Appeals must be submitted in writing to:**

Mr T Zwane, Senior Legal Administration Officer (Appeals), of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

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The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.


Yours sincerely



**Mr Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Date: 11 SEPTEMBER 2012**

CC:	Ms T Swanepoel	Environmental Resources Management Southern Africa (Pty) Ltd	Tel: 021-702-9100	Fax: 021-701-7900
	Ms D Moleko	Northern Cape Department of Environment and Nature Conservation	Tel: 053-807-7430	Fax: 053-831-3530
	Mr J Cloete	Richtersveld Local Municipality	Tel: 027-851-1111	Fax: 027-851-1111
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561
	Mr S Malaza	Compliance Monitoring (DEA)	Tel: 012-310-3397	Fax: 012-320-5744

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**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R.543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> <li>a notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> <li>a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

**NOTES:**

1. **An appeal against a decision must be lodged with:-**
  - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
2. **An appeal lodged with:-**
  - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
3. **An appeal must be:-**
  - a) submitted in writing;
  - b) accompanied by:
    - a statement setting out the grounds of appeal;
    - supporting documentation which is referred to in the appeal; and
    - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

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*Kerisha Reddy* 10/09/2021

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*[Signature]*



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DEA Reference: 12/12/20/1967/AM1

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 E-mail: MEssop@environment.gov.za

Mr Deon van der Walt  
Richtersveld Wind Farm (Pty) Ltd  
PO Box 972  
**GALLO MANOR**  
2052

Telephone Number: (012) 657 3160  
Email Address: deon@guma.co.za

PER EMAIL / MAIL

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

Kerisha Reddy

10/08/2021

CERTIFIED A TRUE  
COPY OF THE ORIGINAL

Dear Mr Van der Walt

### AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MAY 2012 FOR THE ESTABLISHMENT OF THE RICHTERSVELD WIND ENERGY FACILITY LOCATED APPROXIMATELY 30KM SOUTH-EAST OF ALEXANDER BAY AND 55KM NORTH OF PORT NOLLOTH IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 28 May 2012, your application for amendment to the EA received by this Department on 22 May 2015, the acknowledgement letter dated 28 May 2015, the refusal of the amendment dated 17 June 2015 and the appeal decision issued by the Minister of Environmental Affairs dated 18 August 2015 refer.

Based on a review of the reason for requesting an amendment to the above EA and the appeal decision dated 18 August 2015, this Department, in terms of point 4.2.2 of the appeal decision dated 18 August 2015, has decided to amend the EA dated 28 May 2012 as follows:

#### Amendment 1: Amendment to the contact details of the holder of the EA

##### From:

"Richtersveld Wind Farm (Pty) Ltd"

Represented by: Mr Kilian Hagemann  
125 Buitengracht Street  
**CAPE TOWN**  
8001

Telephone Number: (021) 409 7024  
Cell phone Number: (082) 768 9830  
Fax Number: (086) 514 1735  
Email Address: kilian@g7energies.co.za

M.S.

**To:**

"Richtersveld Wind Farm (Pty) Ltd"

Represented by: Mr Deon van der Walt  
PO Box 972  
**GALLO MANOR**  
2052

Telephone Number: (012) 657 3160  
Fax Number: (012) 657 0937  
Email Address: deon@guma.co.za

**Amendment 2: Amendment to extend the validity period of the EA:**

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 28 May 2012 (i.e. the EA lapses on 28 May 2017). 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.

Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two (2) months from the date of this letter. 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:

**Postal Address:**  
Department of Environmental Affairs  
Private Bag X44  
Pretoria, 0001

**Physical address:**  
Department of Environmental Affairs  
Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

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10/08/2021

For Attention: Mr Muhammad Essop  
Integrated Environmental Authorisations  
Strategic Infrastructure Developments  
Telephone Number: (012) 399 9406  
Email Address: messop@environment.gov.za

This proposed amendment letter must be read in conjunction with the EA dated 28 May 2012.

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 30/09/2015

BRIAN MAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196



10/08/2021

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## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA  
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/1967/AM3

Enquiries: Azrah Essop

Telephone: 012 399 8529 E-mail: aessop@environment.gov.za

Deon van der Walt  
Richtersveld Wind Farm (Pty) Ltd  
1st Floor Venus Building  
47 Landmarks Avenue  
**SAMRAND**  
0046

Telephone Number: 012 657 3160  
Email Address: deon@guma.co.za

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

*Kerisha Reddy*  
10/08/2021

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### PER EMAIL / MAIL

Dear Mr van der Walt

### ACKNOWLEDGEMENT OF RECEIPT OF THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MAY 2012 FOR THE ESTABLISHMENT OF THE RICHTERSVELD WIND ENERGY FACILITY LOCATED APPROXIMATELY 30KM SOUTH-EAST OF ALEXANDER BAY AND 55KM NORTH OF PORT NOLLOTH IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the abovementioned project dated 28 May 2012 and the application for amendment of EA received by the Department on 19 May 2017 submitted in terms of the provisions of Regulation 29 of the EIA Regulations, 2014, as amended, refer.

Please note that your application for an amendment of EA falls within the ambit of amendment to be applied for in terms of Part 1 of Chapter 5 of the Environmental Impact Assessment Regulations (2014), as amended. You are therefore referred to Regulation 30.

You are hereby requested to submit a **certified copy of the EA and amendments (attached as Appendix 2) in terms of Regulation 30(1)(a) of the EIA Regulations, 2014** as this information is required in order to process your application lodged in terms of Regulation 30(1)(a) of the EIA Regulations, 2014. You have only submitted a certified copy of the amendment granted i.e. 12/12/20/1967/AM1.

You are hereby advised to submit the required information on or **before 26 May 2017**. Failure to submit the required information by the specified date will result in this Department not being able to process the application and the file will be deemed to have lapsed.

Kindly quote the above-mentioned reference number when submitting the required information and clearly mark it as "Additional Information".

Note that your legislated timeframe will restart once the additional information is received (as long as it is within the validity period of the EA) as the application form will then be regarded as complete.

KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196



Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Letter Signed by: Mrs Azrah Essop**  
**Designation: Environmental Officer: Specialised Production**  
**Date: 23 May 2017**

CC	Nadia Mol	ERM	Email: Nadia.Mol@erm.com
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BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
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## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House 473 Steve Biko Road, Arcadia · PRETORIA  
Tel (+ 27 12) 399 9372

**DEA Reference:** 12/12/20/1967/AM3

**Enquiries:** Mr Thando Booï

**Telephone:** (012) 399 9387 **E-mail:** TBooi@environment.gov.za

Mr Deon van der Walt  
Richtersveld Wind Farm (Pty) Ltd  
1<sup>st</sup> Floor Venus Building  
47 Landmarks Avenue  
**Kosmosdal Samrand**  
0046

Telephone Number: (012) 657 3160  
Email Address: deon@guma.co.za

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

  
10/08/2021

**PER EMAIL / MAIL**

Dear Mr van der Walt

**CERTIFIED A TRUE  
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### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MAY 2012 FOR THE PROPOSED CONSTRUCTION OF RICHTERSVELD WIND FARM LOCATED APPROXIMATELY 30KM SOUTH EAST OF ALEXANDER BAY AND 55KM NORTH OF PORT NOLLOTH, RICHTERSVELD LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 28 May 2012, the EA amendment refusal letter dated 17 June 2015, Ministers appeal decision dated 18 August 2015, the amendment letter dated 30 September 2015 and your request for amendment to the EA received by this Department on 19 May 2017 as acknowledged by this Department on 25 May 2017 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 28 May 2012, as amended as follows:

#### **Amendment to extend the validity period of the EA:**

The activity must commence within a period of five (05) years from the date of expiry of the EA issued on 28 May 2012 as amended (i.e. the EA lapses on 28 May 2022). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

The applicant applied for the extension of the validity period of the EA as the development was not awarded preferred bidder status in the DoE REIPPP. The applicant intends to bid this project in the DoE REIPPP future rounds.

This letter must be read in conjunction with the EA dated 28 May 2012 as amended.

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In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

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

By post: Private Bag X 447,  
Pretoria,  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, 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 [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully

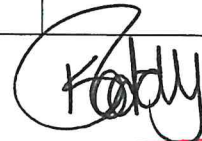


**Mr Obopeng Gaoraelwe**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 23/06/2017

BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

cc	Nadia Mol	Environmental Resources Management Southern Africa Pty Ltd	Tel: (012) 657 3160	Email: Nadia.Mol@erm.com
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 10/08/2021

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**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA  
Tel(+27 12) 399 9372

Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: labader@environment.gov.za

Mr. Obopeng Gaoraelwe  
Director: Integrated Environmental Authorisations

Dear Mr. Gaoraelwe

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 19 JUNE 2017 UNTIL 30 JUNE 2017.**

I hereby inform you that I have decided to appoint you as the Acting Chief Director: integrated environmental authorisations for the period 19 June 2017 until 30 June 2017 while Mr. Sabelo Malaza will be on annual leave.

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

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

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

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

Yours sincerely,

Mr. Ishaam Abader

DDG: LACE

Date: 14.06.17

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BRIAN KAHN INC ATTORNEYS  
KERISHA REDDY  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
GAUTENG RSA  
Umlilo House  
2 Burnside Island  
410 Jan Smuts Avenue,  
Craighall Park, 2196

10/08/2021

ACKNOWLEDGEMENT	
I <del>DO NOT ACCEPT</del> ACCEPT appointment as Acting Chief Director: integrated environmental authorisations	
Signed:	
Date:	15/06/2017