



forestry, fisheries & the environment

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

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/31/2677

Enquiries: Dr Danie Smit

Telephone: (012) 399 9394 E-mail: DSmit@dfffe.gov.za

Mr Matteo Giulio Luigi Brambillia
Red Rocket South Africa (Pty) Ltd
Postnet Suite 150
Private Bag X3
ROGGEBAAI
8012

Cell phone Number: (072) 212 1531
Email Address: m.logan@redrocket.energy

PER EMAIL / MAIL

Dear Mr Brambillia

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF AN ACCESS ROAD AND INFRASTRUCTURE ASSOCIATED WITH THE APPROVED WITBERG WIND FARM, NEAR MATJIESFONTEIN, WESTERN CAPE PROVINCE

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

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

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

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@dffe.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@dffe.gov.za

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 15/03/2023.

cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
	Mr Danie Swanepoel	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)	Email: danie.swanepoel@westerncape.gov.za
	Mr. Jafta Booysen	Laingsburg Local Municipality	Email: mm@laingsburg.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 development of an access road and infrastructure associated with the approved Witberg Wind Farm, near Matjiesfontein, Western Cape Province

Central Karoo District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/2677</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Red Rocket South Africa (Pty) Ltd</i>
Location of activity:	<i>Remaining Extent of Farm Elandskrag 269, Portion 1 of Farm Elandskrag 269, Remaining Extent of Farm Kragas Drift 159, Portion 2 of Farm Kragas Drift 159, Remaining Extent of Farm Constable 154, Portion 8 of Farm Constable 154, Remaining Extent of De Hoop Farm 156, Portion 1 of Farm Annex Kraga 158; Within Ward 2 of the Laingsburg Local Municipality; Central Karoo District Municipality Western 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.

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 –

RED ROCKET SOUTH AFRICA (PTY) LTD

with the following contact details –

Mr. Matteo Giulio Luigi Brambilla
Red Rocket South Africa (Pty) Ltd
Postnet Suite 150
Private Bag X3

ROGGEBAAI

8012

Cell phone Number: (072) 212 1531

Email Address: m.logan@redrocket.energy

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 12:</u> <i>The development of –</i> (ii) <i>infrastructure or structures with a physical footprint of 100 square meters or more.</i> <i>where such development occurs-</i> (a) <i>within a watercourse.</i> (c) <i>within 32 meters of a watercourse, measured from the edge of a watercourse.</i></p>	<p>An extensive section of the proposed Witberg access road is immediately adjacent to a watercourse for approximately 4.5km. The proposed construction camp is located outside the delineated extent of the watercourses and at least 32 m from the delineated extent, but within the 100 m Government Notice (GN) 509 of 2016 regulated area.</p>
<p><u>Listing Notice 1, Item 19</u> <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>This will form part of constructing the newly proposed construction camp (8ha) and laydown area (1ha).</p>
<p><u>Listing Notice 1, Item 24:</u> <i>The development of a road-</i> (ii) <i>with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres.</i></p>	<p>The proposed access road will have a permanent width of 6m within a road reserve of up to 18m to accommodate limited cuttings which are required due to the steep terrain and the required earthworks.</p>
<p><u>Listing Notice 1, Item 56(i)</u> The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre – (i) <i>where the existing reserve is wider than 13,5 metres.</i></p>	<p>The Constable Farm road which is 6m with a 20m reserve will be widened and the existing district road, DR01469, will be upgraded.</p>
<p><u>Listing Notice 3, Item 4:</u> <i>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</i> (i) <i>Western Cape.</i></p>	<p>The proposed road development will have a permanent width of 6m within a road reserve of up to 18m to accommodate limited cuttings which are</p>



<p><i>ii. All areas outside urban areas.</i> <i>(aa) Areas containing indigenous vegetation;</i></p>	<p>required due to the steep terrain and the required earthworks. The site is located outside of urban areas and contains indigenous vegetation.</p>
<p><u>Listing Notice 3, Item 12:</u> <i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i> <i>(i) Western Cape.</i> <i>ii. Within critical biodiversity areas identified in bioregional plans.</i></p>	<p>The project will result in the clearance of an area of 300 square meters or more of indigenous vegetation. The site is located within critical biodiversity areas identified in bioregional plans.</p>
<p><u>Listing Notice 3, Item 14:</u> <i>The development of:</i> <i>(ii) infrastructures or structures with a physical footprint of 10 square metres or more.</i> <i>Where such development occurs –</i> <i>(a) within a watercourse.</i> <i>(c) if no development setback has been adopted within 32 metres of a watercourse, measured from the edge of a watercourse.</i> <i>(i) Western Cape</i> <i>i. Outside urban areas.</i> <i>ff. Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>An extensive section of the proposed Witberg access road is immediately adjacent to a watercourse for approximately 4.5km. The proposed construction camp is located outside the delineated extent of the watercourses and at least 32m from the delineated extent, but within the 100m Government Notice (GN) 509 of 2016 regulated area. The site is located outside urban areas but within critical biodiversity areas identified in bioregional plans.</p>
<p><u>Listing Notice 3, Item 18:</u> <i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i> <i>i. Western Cape.</i> <i>ii. All areas outside urban areas.</i> <i>(aa) Areas containing indigenous vegetation.</i></p>	<p>The Constable Farm road which is 6m with a 20m reserve will be widened and the existing district road, DR01469, will be upgraded.</p>

as described in the Basic Assessment Report (BAR) dated January 2023 at:

SG 21 Code

C	0	4	3	0	0	0	0	0	0	0	0	2	6	9	0	0	0	0	0	0
C	0	4	3	0	0	0	0	0	0	0	0	2	6	9	0	0	0	0	0	1
C	0	4	3	0	0	0	0	0	0	0	0	1	5	9	0	0	0	0	0	0
C	0	4	3	0	0	0	0	0	0	0	0	1	5	9	0	0	0	0	0	2
C	0	4	3	0	0	0	0	0	0	0	0	1	5	8	0	0	0	0	0	1
C	0	4	3	0	0	0	0	0	0	0	0	1	5	6	0	0	0	0	0	0
C	0	4	3	0	0	0	0	0	0	0	0	1	5	4	0	0	0	0	0	0
C	0	4	3	0	0	0	0	0	0	0	0	1	5	4	0	0	0	0	0	8

Farm Names:

- Remaining Extent of Farm Elandskrag 269,
- Portion 1 of Farm Elandskrag 269,
- Remaining Extent of Farm Kragas Drift 159,
- Portion 2 of Farm Kragas Drift 159,
- Remaining Extent of Farm Constable 154,
- Portion 8 of Farm Constable 154,
- Remaining Extent of De Hoop Farm 156, and
- Portion 1 of Farm Annex Kraga 158

Coordinates for the proposed access road and associated infrastructure for the Witberg Wind Farm:

Coordinates of the Proposed Access Road (Gravel Road Length: 9.5km Width: 6m with an 18m reserve for construction)		
	Latitude	Longitude
Start	33°19'01.10"S	20°22'01.54"E
Middle Point	33°17'57.68"S	20°23'55.79"E
End Point	33°17'30.55"S	20°26'42.34"E
Coordinates of the district road (Gravel Road: Length: 12km, Width: 6m with a 20m reserve)		
	Latitude	Longitude
Start	33°15'31.28"S	20°18'06.76"E
Middle Point	33°18'12.86"S	20°19'32.93"E
End Point	33°19'01.10"S	20°22'01.54"E

Constable Farm Road and Supporting Constable Farm Road (Gravel road : Length: 3km; Width and servitude: 6m)		
Constable Farm Road	Latitude	Longitude
Start	33°15'37.55"S	20°17'18.32"E
Middle Point	33°15'54.22"S	20°17'36.31"E
End Point	33°16'10.25"S	20°17'54.31"E
Supporting Constable Farm Road	Latitude	Longitude
Start	33°15'43.72"S	20°16'35.30"E
Middle Point	33°15'42.88"S	20°16'59.23"E
End Point	33°15'39.25"S	20°17'25.85"E
	Latitude	Longitude
Coordinates of Construction Camp (8ha)	33°18'52.88"S	20°22'04.24"E
	Latitude	Longitude
Coordinates of Laydown Area (1ha)	33°17'44.21"S	20°26'12.58"E

- for the development of an access road and infrastructure associated with the approved Witberg Wind Farm, near Matjiesfontein, Western Cape Province, hereafter referred to as "the property".

The proposed development of an access road and infrastructure will comprise the following:

- A new access road with a permanent width up to 6m and a length of approximately 9.5km within a road reserve of up to 18m to accommodate limited cuttings which are required due to the steep terrain and the required earthworks.
- Widening and upgrade of the Constable Farm road.
- Upgrade of an existing district road (DR01469), with a 15m corridor.
- Construction of two laydown areas (a construction camp of 8ha and a laydown area of 1ha respectively).

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of an access road and infrastructure associated with the approved Witberg Wind Farm, near Matjiesfontein, Western Cape Province is hereby approved as per the geographic cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

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

Management of the activity

12. A final site layout plan for the proposed access road (with findings of walkdown by archaeologist and walkdown by Ecologist) and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval, prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible. The layout map must indicate the following:
 - 12.1. The final delineation of the proposed access road.

- 12.2. Positions of all infrastructures as approved.
- 12.3. All existing infrastructure on the site, including roads.
- 12.4. Any sensitive environmental features that will be affected by the access road.
- 12.5. All "no-go" and buffer areas.
13. The Environmental Management Programme (EMPr) submitted as part of the BAR is **not approved** and must be amended to include:
 - 13.1. Measures, as dictated by the final site lay-out map required as per condition 13 above.
 - 13.2. A Heritage Agreement and Management Plan developed in conjunction with HWC to ensure the ongoing conservation and management of the rock art Site 002.
 - 13.3. Findings of the walkdown by the Ecologist and Archaeologist.
 - 13.4. The provisions of this environmental authorisation.
14. The EMPrs must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final generic EMPrs must be submitted to the Department for written approval prior to commencement of the activity.
15. Once approved, 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.
16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. 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.

21. 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.
22. 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

23. 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.
 - 23.1. The ECO must be appointed before commencement of any authorised activities.
 - 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
 - 23.4. 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

24. 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.

25. 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.
26. 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.
27. 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.
28. 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.
29. 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

30. 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

31. 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

32. 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

33. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
34. A no-go buffer area of 100m must be implemented around rock art Site 002 to ensure that no indirect impact takes place. This site should also be marked as no-go on all development maps.
35. A Heritage Agreement and Management Plan must be developed in conjunction with Heritage Western Cape to ensure the ongoing conservation and management of the rock art Site 002.
36. A no-go buffer area of 50m must be implemented around Site 007 to ensure that no indirect impact takes place. This site should also be marked as no-go on all development maps.
37. The proposed road alignment must be designed to limit impact to the stone wall (Site 006) by utilising the existing gap and disturbed section of the wall and limiting the proposed new road footprint to a 10m corridor at the position where the proposed road crosses the existing stone wall.
38. The Chance Fossil Finds Procedure must be implemented for the duration of construction activities.
39. Should any buried archaeological resources or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. Heritage Western Cape (HWC) must be contacted immediately and a professional archaeologist or palaeontologist, must be contacted as soon as possible to inspect the findings.
40. Prior to construction, a walkdown of the final road layout must be completed by an archaeologist to ensure that no significant archaeological heritage is impacted by the proposed road development.
41. A pre-construction walk-through of the access road route for species of conservation concern (SCC) that would be affected and that can be translocated must be undertaken by an ecologist prior to the commencement of the construction phase.
42. Vegetation clearing must be limited to the required footprint for construction works. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
43. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
44. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of protected or endangered plant or animal species.
45. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
46. Dust suppression measures must be implemented during the construction phase to limit the impacts of dust.

47. 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.
48. 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

49. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 49.1. at the site of the authorised activity;
 - 49.2. to anyone on request; and
 - 49.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
50. 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: 15/03/2023



Ms Milicent Solomons

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

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 17 November 2022.
- b) The information contained in the final BAR dated January 2023.
- c) The comments received from interested and affected parties as included in the BAR dated January 2023.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2023 and as appears below:

Title	Prepared by	Date
Terrestrial Ecology Impact Assessment	NCC Environmental Services (Pty) Ltd	August 2022
Freshwater Impact Assessment	FEN Consulting	July 2022
Heritage Impact Assessment (archaeology, palaeontology, and cultural landscape)	CTS Heritage	August 2022
Soil Impact Assessment	The Biodiversity Company	July 2022
EMPr	Savannah Environmental (Pty) Ltd	January 2023

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 is that the proposed access road is directly linked to the need of the Witberg Wind Farm which was authorised in 2011 by this Department as the main purpose of the proposed development is to support the development of the wind farm.
- c) The BAR dated January 2022 identified all legislations and guidelines that have been considered in the preparation of the BAR.

- d) The location of the proposed access road falls within the footprint of the authorised Witberg Wind Energy Facility.
- e) The methodology used in assessing the potential impacts identified in the BAR dated January 2023 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 BAR dated January 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated January 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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



forestry, fisheries & the environment

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

Private Bag X 447 Pretoria 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +86 625 1042

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Ms. Millicent Solomons
Director: Priority Infrastructure Projects

Dear Ms. Solomons

APPOINTMENT AS CHIEF DIRECTOR: INTERGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 01 MARCH UNTIL 31 MARCH 2023

I hereby inform you that I have decided to appoint you as Acting Chief Director: Intergrated Environmental Authorisations from 01 March until 31 March 2023.

All correspondence and other documents that are usually signed by the Chief Director: Intergrated Environmental Authorisations during must be signed under Acting Chief Director: Intergrated 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 1998), 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 Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours, Sincerely

Ms. Devinagle Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



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The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief Director:
Intergrated Environmental Authorisations
Signed:

Date: 27/02/2023