



forestry, fisheries & the environment

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

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

DFFE Reference: 14/12/16/3/3/2/599/1

Enquiries: Ms Thulisile Nyalunga

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Wolf Wind Farm (RF) (Pty) Ltd
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8012

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PER MAIL / EMAIL

Dear Mr Brambilla

APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION (SPLITTING OF EA) ISSUED ON 14 SEPTEMBER 2015 IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE 90MW WOLF WIND ENERGY FACILITY, ASSOCIATED FACILITIES AND IPP PORTION OF THE ON-SITE SUBSTATION NEAR WOLWEFONTEIN, WITHIN THE DR BEYERS NAUDÉ AND THE SUNDAYS RIVER VALLEY LOCAL MUNICIPALITIES, EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 14 September 2015, the subsequent amendments to the EA dated 17 November 2016, 14 September 2017, 26 November 2018 and 22 September 2020 respectively, your application for amendment of the EA received on 25 November 2021, the acknowledgement thereof on 06 December 2021, and the additional information received on 14 December 2021 (DFFE reference: 14/12/16/3/3/2/599/AM6), refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5, Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 14 September 2015, as follows:

Amendments:

- 1) Amendment to the company name and contact details of the holder of the EA, as reflected on page 2 of the attached split EA (the company registration of the EA holder remains unchanged).
- 2) Splitting of the existing EA into two separate EAs:
 - EA1: 90MW Wolf Wind Energy Facility, associated facilities and IPP portion of the shared on-site substation; and
 - EA2: Wolf 132kV Overhead Powerline and switching station (i.e., Eskom portion of the shared on-site substation).

The attached EA will replace the EA dated 14 September 2015 as amended for the 90MW Wolf Wind Energy Facility, associated facilities and IPP portion of the shared on-site substation. All further

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amendments for the 90MW Wolf Wind Energy Facility and IPP portion of the shared on-site substation must be lodged on the attached EA.

Reason for the amendment is as follows:

The amendment involves splitting the EA dated 14 September 2015 into two (2) separate components, namely: 1) the EA for the 90MW Wolf Wind Energy Facility, associated facilities and IPP portion of the shared on-site substation; and 2) the EA for the Wolf 132kV Overhead Powerline and switching station (i.e., the portion of the shared on-site substation to be ceded to Eskom). The splitting of the overhead powerline from the WEF was required to ensure that the transmission line and Eskom portion of the shared on-site substation can be ceded to Eskom and become part of the National grid. The EMPr was also split to support the separate EAs required. The splitting of the EA and associated EMPrs does not result in a change of the scope of the existing EA, nor does it increase the level or nature of the impacts which were originally assessed and considered when the initial application for EA, or subsequent amendments thereto, were made. The split does not include any physical change or addition whatsoever to the authorised infrastructure, project components or footprint of the project.

All other amendments are corrections or updates to ensure the information contained in the EA is up to date and accurate. The EA required an amendment to reflect the new company name and associated contact details of the EA holder (the company registration of the holder remains unchanged).

General

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

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department 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 prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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

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

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

By email: appeals@environment.gov.za;

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

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



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

Date: 02/02/2022

cc:	Mr Patrick Killick	Zutari (Pty) Ltd	Email: Patrick.killick@zutari.com
	Mr Dayalan Govender	Eastern Cape: DEDEAT	Email: dayalan.govender@dedea.gov.za
	Dr EM Rankwana	Dr Beyers Naudé Local Municipality	Email: mmoffice@bnlm.gov.za
	Mr Lonwabo Ngako	Sundays River Valley Local Municipality	Email: MM@srvm.gov.za

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**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

90MW Wolf Wind Energy Facility, associated facilities and IPP portion of the on-site substation near Wolwefontein, within the Dr Beyers Naudé and the Sundays River Valley Local Municipalities, Eastern Cape Province

Sarah Baartman District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/599/1</i>
Holder of authorisation:	<i>Wolf Wind Farm (RF) (Pty) Ltd</i>
Location of activity:	<i>Eastern Cape Province: near Wolwefontein within the Dr Beyers Naudé and the Sundays River Valley Local Municipalities.</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 –

WOLF WIND FARM (RF) (PTY) LTD

(hereafter referred to as the holder of the authorisation)

with the following contact details –

Mr Matteo Giulio Luigi Brambilla

Wolf Wind Farm (RF) (Pty) Ltd

Postnet Suite 150

Private Bag X3

ROGGEBAAI

8012

Cellphone number: +27 72 212 1531

Telephone number: +27 21 418 3940

Email address: m.logan@redrocket.energy

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2010 (GN R. 544, 545 & 546), (and as similarly listed in the EIA Regulations, 2014 as amended (GN R. 983, 984 and 985)):

Activity number in GN R. 544, 545 & 546	Similarly listed activities in GN R. 983, 984 and 985	Activity description
<p><u>GN R. 544 Item 10</u></p> <p>The construction of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;</p>	<p><u>Listing Notice 1 Item 11 (i)</u></p> <p>The development of facilities or infrastructure for the transmission and distribution of electricity— (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>The construction of the Independent Power Producer (IPP) portion of the new shared on-site substation with an estimated capacity up to 132kV.</p>
<p><u>GN R. 544 Item 11:</u></p> <p>The construction of, (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse,</p>	<p><u>Listing Notice 1 Item 12 (ii)(a)(c)</u></p> <p>The development of- (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs- (a) within a watercourse; (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p>	<p>Drainage lines occur on the site and one or more roads are likely to cross these watercourses. The access roads will likely follow the watersheds, for ease and robustness of design, and thus impacts to surface water resources should be minimal.</p>
<p><u>GN R. 544 Item 18:</u></p> <p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from: (i) a watercourse.</p>	<p><u>Listing Notice 1 Item 19</u></p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p>	<p>The infilling or depositing of any material of more than 5m³ into a watercourse will be triggered with the construction of internal service roads where these roads cross drainage lines or watercourses.</p>

<p><u>GN R. 544 Item 22:</u> The construction of a road, outside urban areas, (ii) where no reserve exists where the road is wider than 8 meters.</p>	<p><u>Listing Notice 1 Item 24</u> The development of a road— (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters.</p>	<p>Although site roads are planned to be 7m wide for the most part at certain road sections the verges (or cut-to-fill) might increase the actual width to over 8m.</p>
<p><u>GN R. 545 Item 1:</u> The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more.</p>	<p><u>Listing Notice 2 Item 1</u> The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</p>	<p>The Wind Energy Facility (WEF) will have a generation capacity of 90MW in total.</p>
<p><u>GN R. 545 Item 15:</u> Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more;</p>	<p><u>Listing Notice 2 Item 15</u> The clearance of an area of 20 hectares or more of indigenous vegetation. <u>And</u> <u>Listing Notice 1 Item 28</u> Residential, mixed, retail, commercial, Industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p>	<p>The approximate extent of the undeveloped land that would be physically altered exceeds 20ha. The site is used predominantly as grazing for game, with occasional cattle.</p>
<p><u>GN R. 546 Item 4:</u></p>	<p><u>Listing Notice 3 Item 4</u></p>	<p>The construction of a road wider than 4 metres with a</p>

<p>The construction of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>(a) In Eastern Cape province, ii. Outside urban areas, in:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</p>	<p>The development of a road wider than 4 meters with a reserve less than 13,5 meters.</p> <p>a. Eastern Cape i. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometers from national parks or world heritage sites or 5 kilometers from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;</p>	<p>reserve less than 13,5 metres will be required outside urban areas in the CBAs as identified in systematic biodiversity plans (Eastern Cape Biodiversity Conservation Plan Technical Report, 2007). The WEF site is within 10km from the Addo Elephant National Park (Addo Park) boundary.</p>
<p><u>GN R. 546 Item 12:</u></p> <p>The clearance of an area of 300 square meters or more of vegetation where 75% or more of the vegetation cover constitutes indigenous vegetation,</p> <p>(b) Within critical biodiversity areas identified in bioregional plans.</p>	<p><u>Listing Notice 3 Item 12</u></p> <p>The clearance of an area of 300 square meters or more of indigenous vegetation</p> <p>a. Eastern Cape ii. Within critical biodiversity areas identified in bioregional plans;</p>	<p>The turbines and associated infrastructure including 7m wide access roads will trigger this activity because the area to be cleared would exceed 300m² of vegetation where 75% or more of the vegetation cover constitutes indigenous vegetation within a CBA as identified in the Eastern Cape Biodiversity Conservation Plan Technical Report (2007).</p>
<p><u>GN R. 546 Item 13:</u></p> <p>The clearance of an area of 1 hectare or more of vegetation</p>		<p>The turbines and associated infrastructure including 7m wide access roads will trigger</p>

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<p>where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.</p> <p>(c) In Eastern Cape:</p> <p>ii. Outside urban areas, the following;</p> <p>(ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>		<p>this activity because the area to be cleared would exceed 1ha of vegetation where 75% or more of the vegetative cover constitutes Indigenous vegetation within a CBA as identified in the Eastern Cape Biodiversity Conservation Plan Technical Report (2007). The WEF site is within 10km from the Addo Park boundary.</p>
<p><u>GN R. 546 Item 14:</u></p> <p>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) In Eastern Cape:</p> <p>i. All areas outside urban areas.</p>		<p>A vegetated area greater than 5ha would be cleared for the proposed project (full shared substation footprint included), which is located in a rural area. The vegetation comprises of 75% or more indigenous vegetation.</p>
<p><u>GN R. 546 Item 16:</u></p> <p>The construction of,</p> <p>(iv) Infrastructure covering 10 square meters or more,</p>	<p><u>Listing Notice 3 Item 14</u></p> <p>The development of-</p> <p>(ii) Infrastructure or structures with a physical footprint of 10 square meters or more;</p>	<p>The infilling or depositing of any material of more than 10m² into a watercourse will be triggered by the construction of</p>

<p>where such construction occurs within a water course or within 32 metres of a watercourse, measured from the edge of a watercourse.</p> <p>(a) In Eastern Cape province:</p> <p>i. Outside urban areas, in:</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>	<p>where such development occurs-</p> <p>(a) within a watercourse;</p> <p>(c) If no development setback has been adopted, within 32 meters of a watercourse, measured from the edge of a watercourse;</p> <p>a. Eastern Cape</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(hh) Areas within 10 kilometers from national parks or world heritage sites or 5 kilometers from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p>	<p>internal service roads where these roads cross drainage lines or watercourses. The roads are located in a rural area in the Eastern Cape in CBAs or ecosystem service areas as identified in systematic biodiversity plans (Eastern Cape Biodiversity Conservation Plan Technical Report, 2007). The WEF site is within 10km from the Addo Park boundary.</p>
<p><u>GN R. 546 Item 19:</u></p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>(a) In Eastern Cape province:</p> <p>ii. Outside urban areas, in:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometres from national parks or world</p>	<p><u>Listing Notice 3 Item 18</u></p> <p>The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometer.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometers from national parks or world heritage sites or 5 kilometers from any other protected area identified</p>	<p>Widening existing farm roads to 7m or more in a CBA as identified in Eastern Cape Biodiversity Conservation Plan Technical Report, 2007. The road upgrades will occur within 10kms of the Addo Park. Drainage lines occur on the site and one or more roads are likely to cross these watercourses.</p>

heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;	In terms of NEMPAA or from the core area of a biosphere reserve; (kk) A watercourse;	
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as described in the amended Environmental Impact Assessment Report (EIAr) dated 26 June 2015 and the Application for Amendment of the Environmental Authorisation dated November 2021 at:

SG21 digit code and Farm / Org Name	Farm Portions:
C035000000002850000 Paardeberg North	<ul style="list-style-type: none"> ● Hartebeestefontein (Farm No. 15) portions: <ul style="list-style-type: none"> ○ 15/RE (and potentially 15/4 and a revised 15/RE which are unregistered subdivisions that can be registered at the Deeds Office at any time); ○ 15/2 (and potentially 15/3 which is an unregistered consolidation of 15/2 and 15/1 that can be registered at the Deeds Office at any time); ● Paardeberg North (Farm No. 285) portions: <ul style="list-style-type: none"> ○ 285/RE; ○ 285/1; ○ 285/2; ● Paardeberg South (Farm No. 286) portions: <ul style="list-style-type: none"> ○ 286/RE (and potentially 286/4 and a revised 286/RE which are unregistered subdivisions that can be registered at the Deeds Office at any time); ○ 286/1; ○ 286/2; ○ 286/3; ○ 286/5 ● Salt Pan's Neck (Farm No. 287) portions: <ul style="list-style-type: none"> ○ 287/RE;
C035000000002850001 Paardeberg North	
C035000000002850002 Paardeberg North (Jackals Vlei)	
C035000000002860000 Paardeberg South	
C035000000002860001 Paardeberg South	
C035000000002860002 Paardeberg South	
C035000000002860003 Paardeberg South	
C035000000002860005 Paardeberg South	
C035000000002870000 Salt pan's neck	
C076000000002870001 Mon Desir (Salt pan's neck)	
C076000000002870002 Mon Desir	
C035000000002910001 Dassiekloof Annex	
C035000000003040000 Paardeberg North	
C076000000001500000 Hartebeestefontein	
C076000000001500002 Hartebeestefontein	

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	<ul style="list-style-type: none">○ 287/1;○ 287/2;● Annex Dassie Kloof Farm (Farm No. 291) portions:<ul style="list-style-type: none">○ 291/RE● Koffylaagte (Farm No. 304)
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Centre point coordinate of the WEF

Latitude	Longitude
33°15'21.60"S	24°55'10.03"E

-for the development of the 90MW Wolf Wind Energy Facility, associated facilities and substation near Wolwefontain, within the Dr Beyers Naudé and the Sundays River Valley Local Municipalities, Eastern Cape Province hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- 21 wind turbines with a maximum turbine tower height of 135m and a maximum rotor diameter of 186m;
- IPP portion of new shared substation (with an estimated capacity up to 132kV);
- Underground cabling between turbines and onsite shared substation;
- Hard stands;
- Site access road;
- New and upgraded site service roads;
- Stormwater control measures associated with all roads;
- Laydown areas; and
- Security fencing and access gate.
- The physical project footprint (or area to be disturbed) for the WEF and the associated infrastructure which included the IPP portion of the substation is approximately 53.65ha.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the 90MW Wolf Wind Energy Facility, associated facilities and substation near Wolwefontein, within the Dr Beyers Naudé and the Sundays River Valley Local Municipalities, Eastern Cape Province is approved, at the geographic coordinates and property details 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 the first issue of the Environmental Authorisation issued on 14 September 2015 (i.e., the authorisation lapses on 14 September 2025). 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 Environmental Authorisation will not be extended further.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.

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

Commencement of the activity

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

Management of the activity

12. A copy of the final site layout plan 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 plan.
13. The site layout plan must indicate the following:
 - 13.1. Turbine positions;
 - 13.2. Foundation footprint;
 - 13.3. Permanent lay down area footprint;
 - 13.4. Construction period lay down footprint;
 - 13.5. 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);
 - 13.6. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - 13.7. The location of heritage sites;
 - 13.8. Sub-station(s) and/or transformer(s) sites including their entire footprint;

- 13.9. Cable routes and trench dimensions (where they are not along internal roads);
 - 13.10. Cut and fill areas at turbine sites along roads and at sub-station/transformer sites indicating the expected volume of each cut and fill;
 - 13.11. Borrow pits;
 - 13.12. Spoil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 13.13. All existing infrastructure on the site, especially roads;
 - 13.14. Buildings including accommodation;
 - 13.15. All "no-go" areas; and
 - 13.16. A map combining the final layout plan superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of turbines as described in the Final EA Amendment report (Part 2) dated 22 July 2020.
14. The applicant must appoint a qualified botanical and fauna specialist to ground-truth every footprint and their recommendation must inform the final layout of the wind energy facility and EMPr to be submitted to the department for approval.
 15. The revised Environmental Management Programmes (EMPr) for the WEF submitted as part of the application for environmental authorisation is not approved and must be amended and submitted with the abovementioned layout plan to the Department for written approval prior to commencement of the activity.
 16. The EMPr amendments must include the following:
 - 16.1. All recommendations and mitigation measures recorded in the amended EIR dated 26 June 2015 and EIR dated 11 February 2015.
 - 16.2. The requirements and conditions of this authorisation.
 - 16.3. 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.
 - 16.4. An open space management plan to be implemented during the construction and operation of the facility.
 - 16.5. 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.
 - 16.6. 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.

- 16.7. 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 sub-surface flows. Drainage measures must promote the dissipation of storm water run-off.
- 16.8. 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.
- 16.9. 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.
- 16.10. A transportation plan for the transport of turbine components, main assembly cranes and other large pieces of equipment.
- 16.11. 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.
- 16.12. An avifauna and bat monitoring programme to document the effect of the operation of the wind energy facility on avifauna and bats. This must be compiled by a qualified specialist.
- 16.13. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- 16.14. Measures to protect hydrological features such as streams, rivers, pans, wetlands, and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
17. The Generic Environmental Management Programme (EMPr) for the IPP portion of the new shared on-site substation, submitted as part of the Application for Amendment of the Environmental Authorisation dated November 2021, must be amended to include measures as dictated by the final site lay-out map and micro-siting; and the provisions of this environmental authorisation. Once amended, the final generic EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the generic EMPr must be implemented and adhered to.

18. The generic EMPr for the IPP portion of the new shared on-site Substation Infrastructure must be properly completed and must include the following amendments:
 - 18.1. All recommendations and mitigation measures recorded in the EIAr for the substation;
 - 18.2. All mitigation measures as listed in the specialist reports for the substation must be included in the EMPr;
 - 18.3. The requirements and conditions of this environmental authorisation;
 - 18.4. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the EIA process;
 - 18.5. The final site layout map for the IPP portion of the new shared on-site substation, superimposed (overlain) on the environmental sensitivity map. This map must reflect the location of the IPP portion of the on-site substation as stated in the EIAr and this environmental authorisation.
19. The approved EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
20. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
21. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.

Frequency and process of updating the EMPr

22. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 29 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.
23. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
24. 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.
25. 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.

26. 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

27. 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.
- 27.1. The ECO must be appointed before commencement of any authorised activities.
- 27.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 27.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 27.4. A detailed incident (including spillage of bitumen, fuels, chemicals, or any other material) and complaint register must be kept 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.
- 27.5. In addition the ECO must maintain the following on site:
- A weekly site diary;
 - Copies of all reports submitted to the Department; and
 - A schedule of current site activities including the monitoring of such activities.
- 27.6. 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

28. 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.
29. 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.
30. 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.
31. The holder of the authorisation must, in addition, 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 a final environmental audit report within 30 days of completion of rehabilitation activities.
32. 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.
33. 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

34. 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

35. 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

36. 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

37. Should any historical, cultural, paleontological resources and graves be found during the construction of the project, all construction activities must be suspended and Eastern Cape Provincial Heritage Resources Authority together with the heritage specialists who surveyed and compiled HIA reports must be alerted so that the find can be investigated and mitigation measures proposed.
38. A bird and bat monitoring programme must be implemented to document the effect of the operation of the wind energy facility on avifauna and bats. This must commence prior to construction and continue during operation of the wind energy facility.
39. 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.
40. The baseline data collected and documented during the survey 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.
41. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
42. The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.
43. 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.
44. The applicant must obtain a written permit or 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/permit must be submitted to the Director: Integrated Environmental Authorisations.

45. Areas around fuel tanks must be banded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
46. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
47. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
48. The applicant must ensure that poaching, hunting and killing of animals on site during construction phase of the project is strictly not allowed under any circumstance. In addition, firearms or any other hunting weapons must not be permitted on site.
49. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
50. 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 59 of 2008).
51. Liaison with landowners/farm managers must be done prior to construction in order to provide sufficient time for them to plan their activities.
52. Should the applicant opt to use a turbine model with a sound power emissions level higher than 110dBA; the applicant must appoint a qualified noise specialist to revise the facility's noise model, advise on the turbines' micro-siting and propose additional mitigation measures for inclusion into the EMP, if any.
53. The layout to be submitted to the Department for approval as per Condition 12 of the EA issued on 14 September 2015 must comply with the latest requirements for work in or near Eskom servitudes and Eskom Guidelines for Renewable Energy Generation Plant Setbacks to Eskom Infrastructure.

General

54. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
 - 54.1. at the site of the authorised activity;
 - 54.2. to anyone on request; and
 - 54.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
55. 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.

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Date of Environmental Authorisation: 14 September 2015

Splitting and re-issue date: 02/02/2022



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



Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The information contained in the EIR dated 11 February 2015 and the amended EIR dated 26 June 2015;
- b) The comments received from the Department of Rural Development and Agrarian Reform, Eskom, Eastern Cape Provincial Heritage Resources Authority (EC PHRA), Department of Water and Sanitation, in the amended EIR dated 26 June 2015 as well as interested and affected parties as included in the EIR;
- c) Mitigation measures as proposed in the EIR dated 11 February 2015 and the amended EIR dated 26 June 2015;
- d) The information contained in the specialist studies contained within Appendix E of the EIR;
- e) Findings of the site visit conducted on 01 April 2015; and
- f) 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 and their recommended mitigation measures.
- b) The need for the development of the Wind Energy Facility with a generation capacity of up to 90MW and its associated Infrastructure near Wolwefontein within the Dr Beyers Naudé and the Sundays River Valley Local Municipalities in the Eastern Cape Province.
- c) The EIR dated 11 February 2015 and the amended EIR dated 26 June 2015 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 11 February 2015 and the amended EIR dated 26 June 2015 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 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 EIR dated 11 February 2015 and amended EIR dated 26 June 2015 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the EIR dated 11 February 2015 and amended EIR dated 26 June 2015 is deemed to be accurate and credible.
- e) EMPr 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 authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

Annexure 2: Locality Plan



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