



**forestry, fisheries
& the environment**

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

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

DFFE Reference: 14/12/16/3/3/1/2342

Enquiries: Ms Thabile Sangweni

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Mr Stephen Koopman
Darling Wind Power (Pty) Ltd
Suite 104, 1st Floor
Albion Springs
183 Main Road
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CAPE TOWN
7700

Telephone Number: (021) 003 2915
Email Address: stephen@darlingwindpower.co.za

PER EMAIL

Dear Mr Koopman

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE EXPANSION OF THE DARLING NATIONAL DEMONSTRATION WIND FARM AND ITS ASSOCIATED INFRASTRUCTURE (DARLING 1B WIND ENERGY FACILITY), 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 14 (fourteen) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

Your attention is drawn to Chapter 2 of the 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.

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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: 05/11/2021

cc:	Ms Ashlin Bodasing	Arcus Consultancy Services South Africa (Pty) Ltd	E-mail: ashlinb@arcusconsulting.co.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 20(1)(a) of the Environmental Impact Assessment Regulations, 2014, as amended

The expansion of the Darling National Demonstration Wind Farm and its associated infrastructure (Darling 1B Wind Energy Facility), Western Cape Province

West Coast District Municipality

Authorisation register number:	14/12/16/3/3/1/2342
Last amended:	First issue
Holder of authorisation:	Darling Wind Power (Pty) Ltd
Location of activity:	Portion Number 3 Farm Slang Kop No. 552 Swartland Local Municipality West Coast District Municipality Western Cape Province

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

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Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

DARLING WIND POWER (PTY) LTD

with the following contact details –

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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 1:</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where</i></p> <p><i>(i) the electricity output is more than 10 megawatts but less than 20 megawatts."</i></p>	<p>The WEF will consist of two wind turbines for electricity generation with a capacity of more than 10MW but less than 20MW.</p>
<p><u>Listing Notice 1, Item 12:</u></p> <p><i>"The development of</i></p> <p><i>(ii) Infrastructure or structures with a physical footprint of 100 square metres or more, where such development occurs</i></p> <p><i>(a) Within a watercourse or</i></p> <p><i>(c) Within 32m of a watercourse, measured from the edge of a watercourse."</i></p>	<p>Infrastructure, such as the existing access road which will be upgraded at the current crossings (NBA2018_Rivers), are proposed within 32m of a watercourse. The cumulative footprint of all proposed infrastructure within 32m of a watercourse may likely exceed 100 square metres.</p>
<p><u>Listing Notice 1, Item 19:</u></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse."</i></p>	<p>The construction of the infrastructure associated with the WEF, e.g., the access road, which is planned to be upgraded, would include the excavation of soil in watercourses / drainage line areas (NBA2018_Rivers), and infilling / deposition which may exceed 10 cubic metres.</p>
<p><u>Listing Notice 1, Item 24:</u></p> <p><i>"The development of a road with a reserve wider than 13,5 metres, or where no road reserve exists the road is wider than 8 metres."</i></p>	<p>Internal roads will be constructed and will be approximately 10m in width, including turning circles and bypass areas of up to 20m.</p>
<p><u>Listing Notice 1, Item 27:</u></p> <p><i>"The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation."</i></p>	<p>The area to be cleared for the wind turbines and associated infrastructure, such as hardstand areas, laydown areas and BESS will involve the clearance</p>

	of more than 1 hectare of indigenous vegetation but less than 20 hectares.
<p><u>Listing Notice 1, Item 28:</u></p> <p><i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development</i></p> <p><i>(ii) Will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>Construction of the proposed development will change the land use from agriculture to mixed - agriculture. The proposed development is outside an urban area and has a footprint that will exceed 1ha.</p>
<p><u>Listing Notice 1, Item 31:</u></p> <p><i>"The decommissioning of existing facilities, structures or infrastructure for –</i></p> <p><i>(v) any activity regardless the time the activity was commenced with, where such activity:</i></p> <p><i>(a) is similarly listed to an activity in (i) or</i></p> <p><i>(ii) above; and</i></p> <p><i>(b) is still in operation or development is still in progress."</i></p>	<p>Staged decommissioning of the four existing turbines is proposed once the new turbines are operational.</p>
<p><u>Listing Notice 1, Item 36:</u></p> <p><i>"The expansion of facilities or structures for the generation of electricity from a renewable resource where –</i></p> <p><i>i) The electricity output will be increased by 10 megawatts or more;</i></p> <p><i>(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more."</i></p>	<p>The additional two turbines will expand the electricity by more than 10MW and the footprint will be expanded by more than 1ha.</p>
<p><u>Listing Notice 1, Item 48:</u></p> <p><i>"The expansion of-</i></p> <p><i>(i) Infrastructure or structures where the physical footprint is expanded by 100 square metres or more; where such expansion occurs-</i></p> <p><i>(a) within a watercourse;</i></p>	<p>The existing road infrastructure which is 32m of a watercourse (NBA2018_Rivers), will be upgraded and therefore requires an expansion. The cumulative footprint of all proposed development</p>

<p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</p>	<p>expansion within 32m of a watercourse will exceed 100 square metres.</p>
<p><u>Listing Notice 1, Item 56:</u> "The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres."</p>	<p>Existing farm access roads will need to be widened and lengthened. These roads may have no road reserve and may likely be wider than 8m in some parts of it, to accommodate turning circles.</p>
<p><u>Listing Notice 3, Item 4:</u> "The development of a road wider than 4 metres with a reserve less than 13, 5 metres. (i) In the Western Cape (ii) In areas outside of urban areas (aa) in areas containing indigenous vegetation."</p>	<p>Internal and external access roads will be constructed over indigenous vegetation, which are wider than 4m. The site falls outside of an urban area and part of it falls within a CBA 1 and ESA 1 and 2.</p>
<p><u>Listing Notice 3, Item 12:</u> "The clearance of an area of 300 square metres or more of indigenous vegetation within (i) The Western Cape (ii) Within Critical Biodiversity Areas identified in bioregional plans."</p>	<p>The proposed development will require the clearance of natural vegetation in excess of 300m² in areas of natural vegetation. Parts of the site fall within CBA 1 and ESA 1 and 2.</p>
<p><u>Listing Notice 3, Item 14:</u> "The development of (ii) Infrastructure or structures with a physical footprint of 10 square metres or more, where such development occurs (a) Within a watercourse; (c) If no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse, in the (i) Western Cape (i) Outside urban areas and within (ff) critical biodiversity areas or ecosystem service areas as identified in systematic</p>	<p>Infrastructure associated with the wind turbines will be constructed / developed within 32m of a watercourse. The proposed site is within a CBA 1 and ESA 1 and 2. The access road infrastructure will be upgraded resulting in a footprint of more than 10 square meters within the watercourse (NBA2018_Rivers) and ESA 2. Any new cabling will be built underground along the internal road network where feasible to avoid any further crossings of vegetation and watercourses on the proposed site.</p>

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<p><i>biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	
<p><u>Listing Notice 3, Item 18:</u> <i>"The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre</i> <i>(i) In the Western Cape</i> <i>(ii) In all areas outside urban areas</i> <i>(aa) in areas containing indigenous vegetation."</i></p>	<p>Existing roads will be widened by more than 4m and lengthened by more than 1km in areas containing indigenous vegetation within ESAs and CBAs to provide access during construction.</p>
<p><u>Listing Notice 3, Item 23:</u> <i>"The expansion of—</i> <i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion 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>Infrastructure associated with the wind turbines will be expanded within 32m of a watercourse. The proposed site is within a CBA 1 and ESA 1 and 2. The access road infrastructure will be upgraded resulting in a footprint of more than 10 square meters within the watercourse (NBA2018_Rivers) and ESA 2. Any new cabling will be built underground along the internal road network where feasible to avoid any further crossings of vegetation and watercourses on the proposed site.</p>

as described in the Basic Assessment Report (BAR) dated August 2021 at:

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- for the expansion of the Darling National Demonstration Wind Farm and its associated infrastructure (Darling 1B Wind Energy Facility) in the Western Cape Province, hereafter referred to as "the property".

The development will comprise the following:

- Up to two (2) new wind turbine generators (WTGs) with a capacity of up to 6.5MW each and an increase in generation capacity of up to 13MW;
- WTGs with a rotor diameter of up to 160m, a hub height of up to 165m (maximum blade tip height 245m), and blade length of up to 80m;
- Each turbine would be placed on steel and concrete foundations, including a hardstand area of approximately 1 500m² in total per turbine;
- Temporary turbine construction laydown and storage area of approximately 4 500m² per turbine;
- Staged decommissioning of up to four (4) existing operational WTGs once the new WTG/s are operational;
- A new Battery Energy Storage System (BESS), with a capacity of up to 50MWh, and area of approximately 5 000m² to allow for micro-siting of the BESS components and to accommodate internal roads (as required);
- A temporary construction laydown area (to be located within the 5 000m² BESS area); and a firebreak around the BESS footprint;
- Upgrades to Windhoek Substation, as required, within the existing substation footprint;
- Medium voltage cabling connecting the turbines and BESS to the existing Windhoek Substation, these cables will be laid underground where possible and parallel to the existing cable network;
- A construction laydown/staging area of approximately 2 500m² which will also accommodate the operation and maintenance (O&M) buildings; and
- Internal roads with a width of up to 10m within a 20m corridor, including turning circle/bypass areas of up to 20m at some sections during the construction phase. Existing roads will be upgraded wherever possible, although new roads will be constructed where necessary.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The expansion of the Darling National Demonstration Wind Farm and its associated infrastructure (Darling 1B Wind Energy Facility) in the Western Cape Province, as described above is hereby approved.
2. BESS Option 2 and Laydown Area Option 1 are approved.
3. 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.

4. 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.
5. The activities authorised may only be carried out at the property as described above.
6. 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.
7. 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.
8. 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.
9. Construction must be completed within five (5) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

11. 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.
 12. The notification referred to must –
 - 12.1. specify the date on which the authorisation was issued;
 - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 12.4. give the reasons of the Competent Authority for the decision.
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Commencement of the activity

13. 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

14. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
- 14.1. Position of wind turbines and associated infrastructure;
 - 14.2. All supporting onsite infrastructure e.g. roads (existing and proposed);
 - 14.3. The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - 14.4. Buffer areas; and,
 - 14.5. All "no-go" areas.
 - 14.6. The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
15. The Environmental Management Programme (EMPr) submitted as part of the BAR dated August 2021 is not approved and 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. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity.
16. The EMPr amendment must include the following:
- 16.1. The requirements and conditions of this authorisation.
 - 16.2. All recommendations and mitigation measures recorded in the BAR.
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- 16.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 16.4. The final site layout map.
 - 16.5. 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.
 - 16.6. 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.
 - 16.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
 - 16.8. 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.
 - 16.9. A construction and operational avifauna and bat monitoring plan.
 - 16.10. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
 - 16.11. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
 - 16.12. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
 - 16.13. A fire management plan to be implemented during the construction and operational phases.
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- 16.14. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
- 16.15. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- 16.16. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the BAR and this authorisation.
17. Once approved, the EMPr must be implemented and adhered to. It shall be seen as a dynamic document and shall be included in all contract documentation when approved.
18. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
19. 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

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 31 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.
 21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
 22. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.
 23. 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 GN R.982 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.
 24. The holder of the authorisation may 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 GN R.982, as
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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

25. 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.
26. The ECO must be appointed before commencement of any authorised activities.
27. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department at Directorcompliance@environment.gov.za.
28. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
29. 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

30. 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 at Directorcompliance@environment.gov.za.
 31. 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 at Directorcompliance@environment.gov.za.
 32. 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 GN R. 982, as amended.
 33. 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.
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34. 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.
35. 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

36. 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

37. 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

38. 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

39. No turbines must be constructed within any designated no-go areas.
 40. Turbines placed in areas of high sensitivity areas must be fitted with Radar Assisted Shutdown on Demand (RASOD) or similar technology and a single blade must be painted (red or preferably black in accordance with latest research) pending approval from the South African Civil Aviation Authority (CAA).
 41. If one or more Great White Pelican or Black Harrier carcasses are located and determined likely to have resulted from wind turbine generator (WTG) collisions in any sensitivity area over the lifespan of the facility then those WTGs likely to have been responsible must be fitted with appropriate mitigation measures
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- (such as RASOD or suitable technology that may be available at the time and to be determined by an avifaunal specialist) must be implemented to reduce the likelihood of more collisions occurring at that WTG.
42. If one or more Great White Pelican or Black Harrier carcasses are located and determined likely to have resulted from WTG collisions after the implementation of shut-down-on-demand systems or similar technology then an appropriate curtailment strategy must be determined by an avifaunal specialist in consultation with relevant parties and implemented for those WTGs likely responsible for the mortalities.
 43. A carcass search programme must be developed and implemented for birds as a minimum during the first three years of operation followed by year 5, 10, 15, 20 and 25, in line with the applicable South African monitoring guidelines.
 44. Blade feathering up to the cut-in speed to prevent blades spinning in low wind speeds, from sunset to sunrise in all seasons except winter must be used.
 45. Acoustic monitoring at height and ground level must be undertaken once the first turbine has been erected.
 46. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
 47. Areas outside of the footprint, including sensitive areas and buffer areas, must be clearly demarcated (using fencing and appropriate signage) before construction commences and must be regarded as "no-go" areas.
 48. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the EMPr.
 49. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
 50. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
 51. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations.
 52. Borrow materials must be obtained only from authorised and permitted sites. Permits must be kept on site by the ECO.
 53. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage

Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources.

54. All declared aliens must be identified and managed in accordance with the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). There should be an alien species monitoring and eradication program to prevent encroachment of these problem plants for the duration of the operation.

General

55. The recommendations of the EAP in the BAR dated August 2021 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.
56. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 56.1. at the site of the authorised activity;
 - 56.2. to anyone on request; and
 - 56.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
57. 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: 05/11/2021


Mr Sabelo Malaza

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

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form and amended application form received on 24 May 2021 and 13 August 2021, respectively.
- b) The information contained in the BAR dated August 2021.
- c) The comments received from interested and affected parties as included in the BAR dated August 2021.
- d) Mitigation measures as proposed in the BAR and the EMPr dated August 2021.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated August 2021.

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The BAR dated August 2021 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- c) The methodology used in assessing the potential impacts identified in the BAR dated August 2021 and the specialist studies have been adequately indicated.
- d) 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 August 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated August 2021 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 dated August 2021 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, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.