



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: 14/12/16/3/3/2/2238

Enquiries: Ms Bathandwa Ncube

Telephone: 012 399 9368 E-mail: BNcube@dfffe.gov.za

Mr Unai Urtasun
Loxton Wind Facility 3 (Pty) Ltd
PO Box 1730
Welgemoed
CAPE TOWN
8001

Cellphone Number : 082 300 6497

Email Address : unai.bravo.urtasun@acciona.com

PER EMAIL / MAIL

Dear Mr Urtasun

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE 240MW LOXTON WIND ENERGY FACILITY 3 AND ASSOCIATED INFRASTRUCTURE, NEAR LOXTON, WITHIN THE UBUNTU LOCAL MUNICIPALITY, NORTHERN 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 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@dfef.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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfef.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: *10/08/2023*

cc:	Ms Aneesah Samodien	Arcus Consultancy Services South Africa (Pty) Ltd	Email: LoxtonWEF@arcusconsulting.co.za
	Mr Brian Fisher	Northern Cape DAEARD&LR	Email: bfisher@ncpg.gov.za
	Mr Thembinkosi Zingange	Ubuntu Local Municipality	Email: thzingange@yahoo.com

MS



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 THE 240MW LOXTON WIND ENERGY FACILITY 3 AND ASSOCIATED
INFRASTRUCTURE, NEAR LOXTON, WITHIN THE UBUNTU LOCAL MUNICIPALITY, NORTHERN CAPE
PROVINCE**

PIXLEY KA SEME DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2238
Last amended:	First issue
Holder of authorisation:	Loxton Wind Facility 3 (Pty) Ltd
Location of activity:	The Remaining Extent of Farm Yzervarkspoor No. 139; Portion 1 of Farm Yzervarkspoor No. 139; The Remaining Extent of Farm 273; The Remaining Extent of Farm 262; The Remaining Extent of Portion 0 of Farm Erasmuskraal No. 269; Ubuntu Local Municipality; Pixley ka Seme District Municipality; Northern 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.

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 –

LOXTON WIND FACILITY 3 (PTY) LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Unai Urtasun

Loxton Wind Facility 3 (Pty) Ltd

PO Box 1730

Welgemoed

CAPE TOWN

8001

Cellphone Number : 082 300 6497

Email Address : unai.bravo.urtasun@acciona.com

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11(i):</u> <i>The development of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts</i></p>	<p>The proposed Loxton WEF 3 will entail the construction of a 33 kV / 132 kV on-site substation hub incorporating the facility substation, switchyard, and collector infrastructure with a footprint of up to 3 ha. All internal cables have a capacity of 33kV. The proposed Loxton WEF 3 will be constructed across various farm portions located approximately 15 km east of Loxton within the Ubuntu Local Municipality and the Pixley Ka Seme District Municipality in the Northern Cape Province.</p>
<p><u>Listing Notice 1, Item 12(ii)(a)(c):</u> <i>The development of-</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square meters or more;</i> <i>where such development occurs-</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 meters of a watercourse, measured from the edge of a watercourse</i></p>	<p>The proposed Loxton WEF 3 will entail the construction of built infrastructure and structures (such as wind turbines, hardstands, offices, workshops, Operations and Maintenance (O&M) buildings, ablution facilities, onsite substations, laydown areas and security enclosures etc.). The infrastructure and structures are expected to exceed a footprint of 100m² and could occur within small drainage features and 32m of the watercourses.</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>The proposed Loxton WEF 3 will entail the excavation, removal and moving of more than 10 m³ of soil, sand, pebbles, or rock from nearby watercourses on site, mainly for the purpose of constructing access roads. As a result, the proposed Loxton WEF 3 could potentially entail the infilling of more than 10 m³ of material into the nearby watercourses. Details of the infilling of and excavations from the affected watercourses/drainage features will be confirmed during the detailed engineering design phase.</p>

<p><u>Listing Notice 1, Item 24(ii):</u> <i>The development of a road-</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres</i></p>	<p>A temporary road corridor of up to 15m will be impacted during the construction phase. This will be rehabilitated after the completion of construction activities to allow for a permanent 8 m wide road surface, with side drains on one or both sides where necessary.</p>
<p><u>Listing Notice 1, Item 28(ii)</u> <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> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare</i></p>	<p>The proposed Loxton WEF 3 will take place outside of an urban area and across several adjoining farm portions, and is considered as a commercial/industrial development, which will have an estimated total development footprint of more than 20 ha.</p> <p>The proposed Loxton WEF 3 will also entail the construction of an onsite substations, as well as a battery energy storage system, and various associated structures and infrastructure. This will constitute infrastructure with a total physical footprint of more than 1 ha.</p>
<p><u>Listing Notice 1, Item 48(i)(a)(c):</u> <i>The expansion of-</i> <i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more;</i> <i>where such expansion occurs-</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 meters of a watercourse, measured from the edge of a watercourse</i></p>	<p>The proposed Loxton WEF 3 will require the upgrading of existing roads within the development area, as well as watercourse crossing upgrades, where such upgrades may take place within watercourses and within 32m from the edge of these watercourses. The total footprint of the upgrades to be undertaken on the existing roads would be in excess of 100m² within a watercourse, or within 32m of a watercourse.</p>
<p><u>Listing Notice 1, Item 56(ii)</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) where the existing reserve is wider than 13,5 meters; or</i> <i>(ii) where no reserve exists, where the existing road is wider than 8 metres</i></p>	<p>Existing roads will be widened by more than 6 metres and will require lengthening by more than 1 km, to accommodate the movement of heavy vehicles and cable trenching activities associated with the WEF.</p>

<p><u>Listing Notice 2, Item 1</u></p> <p><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more</i></p>	<p>The proposed Loxton WEF 3 will comprise a maximum generation capacity of up to 240 MW (i.e., facility for the generation of electricity from a renewable resource).</p>
<p><u>Listing Notice 2, Item 15</u></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation</i></p>	<p>The construction of the proposed development will require clearance of more than 20 hectares of indigenous vegetation. The total project development footprint is up to 65 ha.</p>
<p><u>Listing Notice 3, Item 4(g)(ii)(bb)(ee)</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</i></p>	<p>A 15m road corridor will be temporarily impacted upon during construction and rehabilitated to 8m wide after construction. The Loxton WEF 3 will have a total road network of up to 50km.</p> <p>The site falls outside of an urban area and parts of the site fall within a NPAESF area and Critical Biodiversity Area (CBA) 1 and CBA 2 in the Northern Cape.</p>
<p><u>Listing Notice 3, Item 12(q)(ii):</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation:</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans</i></p>	<p>The proposed development will require the clearance of natural vegetation in excess of 300 m² in areas of natural vegetation. A portion of the WEF is located within a CBA 1 and 2 in the Northern Cape.</p> <p>Under the layout provided for the current assessment, there are three turbines located marginally within CBA 1s and the remaining turbines are located within the CBA 2. Since the layout takes account of the fine-scale mapping of biodiversity features, the impact of the Loxton WEF 3 on biodiversity features would be relatively low and while there would be some residual impact on the affected CBAs, it is unlikely that the development would compromise the overall ecological functioning of the area and the affected CBAs.</p>

<p><u>Listing Notice 3, Item 14(ii)(a)(c)(g)(ii)(bb)(ff)</u></p> <p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse</p> <p>g. Northern Cape</p> <p>ii. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</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>The proposed development will entail the development of infrastructure with physical footprints of 10m² or more within a watercourse / surface water feature or within 32m from the edge of a watercourse / surface water feature.</p> <p>Although the layout of the proposed development will be designed to avoid the identified surface water features / watercourse as far as possible, some of the infrastructure / structures will likely need to traverse the identified surface water features / watercourses.</p> <p>The construction of the infrastructure (MV cabling and roads) for the development will occur within Critical Biodiversity Areas (CBAs) located outside of urban areas.</p> <p>The whole of the Loxton WEF 3 site falls within a NPAES Focus Area. While the loss of 65 ha of habitat within the NPAES FA is not considered to represent a highly significant impact in its own right, the presence of wind turbines within the NPAES FA should be interpreted more broadly. In terms of the impacts on NPAES Focus Areas, these are considered to be low when considered simply in terms of the extent of habitat loss and the direct impact on the affected NPAES Focus Areas. Based on the current analysis of impacts associated with the Loxton 3 WEF, cumulative impacts and the broader landscape and conservation planning context, it is clear the primary concern regarding the development would be its' potential impact on broad-scale biodiversity processes.</p>
<p><u>Listing Notice 3, Item 18(q)(ii)(bb)(ee)</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>g. Northern Cape</p>	<p>Internal access roads will be required to access the wind turbines as well as the respective substations. Existing roads will be used wherever possible. Internal access roads will thus likely be widened by more than</p>

MS

<p><i>ii. Outside urban areas:</i> <i>(bb) National Protected Area Expansion Strategy</i> <i>Focus areas;</i> <i>(ee) 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>6 m or lengthened by more than 1 km. These roads will occur within the Northern Cape Province, outside urban areas. The respective proposed development sites contain indigenous vegetation. In addition, the widening of the roads will occur within CBAs and or within 100 m from the edge of a watercourse or wetland.</p>
<p><u>Listing Notice 3, Item 23(ii)(a)(c)(g)(ii)(bb)(ee)</u> <i>The expansion of—</i> <i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</i> <i>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>g. Northern Cape</i> <i>ii. Outside urban areas:</i> <i>(bb) National Protected Area Expansion Strategy</i> <i>Focus areas;</i> <i>(ee) 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>The respective proposed development will entail the development and expansion of roads by 10m² or more within a surface water feature / watercourse or within 32m from the edge of a surface water feature / watercourse. Although the layout of the proposed development will be designed to avoid the identified surface water features / watercourses as far as possible, some of the existing internal and access roads may likely need to traverse some of the identified surface water features / watercourses. The proposed developments occur within CBAs and are located outside urban areas. The whole of the Loxton WEF 3 site falls within a NPAES Focus Area. While the loss of 65 ha of habitat within the NPAES FA is not considered to represent a highly significant impact, the presence of wind turbines within the NPAES FA should be interpreted more broadly. in terms of the impacts on NPAES Focus Areas, these are low when considered simply in terms of the extent of habitat loss and the direct impact on the affected NPAES Focus Areas. Based on the current analysis of impacts associated with the Loxton 3 WEF, cumulative impacts and the broader landscape and conservation planning context, it is clear the primary concern regarding the development would be its'</p>

	potential impact on broad-scale biodiversity processes.
--	---

as described in the Environmental Impact Assessment Report (EIAR) dated June 2023 at:

21 Digit SG Code

C	0	8	0	0	0	0	0	0	0	0	0	0	1	3	9	0	0	0	0	0
C	0	8	0	0	0	0	0	0	0	0	0	0	1	3	9	0	0	0	0	1
C	0	8	0	0	0	0	0	0	0	0	0	0	2	7	3	0	0	0	0	0
C	0	8	0	0	0	0	0	0	0	0	0	0	2	6	2	0	0	0	0	0
C	0	8	0	0	0	0	0	0	0	0	0	0	2	6	9	0	0	0	0	0

Coordinates

Loxton WEF 3 Site Boundary		Latitude	Longitude
Reference Point 03	Northwest Corner	31° 25'54.62" S	022° 27'44.40" E
Reference Point 05	Southwest Corner	31° 30'45.17" S	022° 26'11.79" E
Reference Point 09	Southeast Corner	31° 29'36.20" S	022° 34'32.29" E
Reference Point 12	Northeast Corner	31° 25'29.94" S	022° 33'45.83" E
Proposed Loxton WEF 3 BESS		Latitude	Longitude
Reference Point 03	Northwest Corner	31°29'36.24"S	22°30'38.38"E
Reference Point 05	Southwest Corner	31°29'38.76"S	22°30'39.21"E
Reference Point 09	Southeast Corner	31°29'39.88"S	22°26'58.78"E
Reference Point 12	Northeast Corner	31°29'37.23"S	22°30'34.02"E

- for the development of the 240MW Loxton Wind Energy Facility 3 and associated infrastructure, near Loxton, within the Ubuntu Local Municipality, Northern Cape Province, hereafter referred to as "the property".

Technical Details for the Wind Energy Facility:

Component	Description/ Dimensions
Maximum Generation Capacity	Up to 240 MW
Type of technology	Onshore Wind
Number of Turbines	Up to 39
WTG Hub Height from ground level	Up to 160m

MS

Component	Description/ Dimensions
Blade Length	Up to 100m
Rotor Diameter	Up to 200m
Structure height (Tip Height)	Maximum of 300 m tip height
Structure orientation	Vertical towers with 3 blades attached
Area occupied by both permanent and construction laydown areas	<ul style="list-style-type: none"> • Concrete turbine foundations with a permanent footprint 6 ha. • Each turbine will have a crane hardstand of 70 m x 45 m. The combined permanent footprint for turbine hardstands will be up to 14 ha. • Each turbine will have a temporary blade hardstand of 80 m x 45 m. The temporary footprint for blade hardstands will be up to 14 ha. • Temporary laydown areas (with a combined footprint of up to 25 ha) which will accommodate the boom erection, storage, and assembly area. • One construction period laydown area (temporary) up to 6 ha. • A temporary site camp establishment and concrete batching plants (with a combined footprint of up to 2 ha).
Operations and maintenance buildings (O&M building) with parking area	Up to 2 ha including a gate house, security building, control centre, offices, warehouses, parking bays, a workshop, and a storage area.
Site Access	Access roads to the site and between project components inclusive of stormwater infrastructure. An approximately 15 m road corridor will be temporarily impacted upon during construction and rehabilitated to 8 m wide after construction. Additional space may be required for cut and fill, side drains, stormwater control measures, turning areas and vertical and horizontal turning radii to ensure safe delivery of the turbine

Component	Description/ Dimensions
	components. The WEF will have a total road network of up to 50 km.
Area occupied by inverter transformer stations/substations	One on-site substations up to 4 ha in extent to facilitate the connection between the wind farm and the electricity grid.
Capacity of on-site substation	33 / 132 kV
Battery Energy Storage System footprint	Footprint of up to 5 ha
Length of internal roads	Up to 50 km
Width of internal roads	Up to 15 m including road reserve, during construction and rehabilitated to up to 8 m after construction. Additional space may be required for cut and fill, side drains, stormwater control measures, turning areas and vertical and horizontal turning radii to ensure safe delivery of the turbine components.
Proximity to grid connection	100 km, depending on the preferred alternative route (<i>separate application process is being followed for the grid connection</i>).
Internal Cabling	Up to 33 kV medium voltage electrical cabling between the turbines, to be laid underground where practical.
Height of fencing	Up to 5 m
Type of fencing	Palisade fencing or similar

Conditions of this Environmental Authorisation

Scope of authorisation

1. The the development of the 240MW Loxton Wind Energy Facility 3 and associated infrastructure, near Loxton, within the Ubuntu Local Municipality, Northern Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.

3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant, or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (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 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 further indicate the following:
 - 12.1. The corner coordinates of the area occupied by the substation.
 - 12.2. Internal roads indicating width and length.
 - 12.3. All sensitive features e.g., Critical Biodiversity Areas, drainage lines, heritage sites etc. that will be affected by the facility and associated infrastructure.
 - 12.4. Laydown area footprint or construction camp footprint.
 - 12.5. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 12.6. Buildings, including accommodation; and,
 - 12.7. All “no-go” and buffer areas.
13. The Environmental Management Programme (EMPr) submitted as part of the EIAR 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. Once approved the EMPr must be implemented and adhered to.
14. The EMPr amendment must include the following:
 - 14.1. The requirements and conditions of this environmental authorisation.

- 14.2. The Open Space Management Plan contemplated in Condition 34 below.
- 14.3. The Biodiversity Management Plan (BMP) contemplated in Condition 37 below.
- 14.4. The updated Stormwater Management Plan contemplated in Condition 35 below.
- 14.5. The Chance Fossil Finds Procedures included as Appendix 2 of the Palaeontological Heritage Compliance Statement by Natura Viva cc. dated April 2023.
- 14.6. Any additional management and monitoring plans, procedures, and designs, which must be developed, as per the management actions in the EMPr dated June 2023.
- 14.7. All recommendations and mitigation measures recorded in the EIAR dated June 2023.
- 14.8. Any site-specific mitigation measures that may arise when the final walk through is undertaken.
- 14.9. The approved final development layout plan and all mitigation measures as dictated by the final development layout plan.
- 14.10. The coordinates for each of the 39 wind turbine generators (WTGs).
- 14.11. Centre point coordinates for the Operation and Maintenance building area, laydown areas and site camp area.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance with 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 EIAR 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 25 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. 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

Conditions for Non-operational aspects

33. A pre-construction walk-through of the final development footprint must be undertaken by ecological/botanical and heritage specialists prior to the commencement of the construction phase for the identification of buffers, sensitive sites, sensitive site during growing season, species of conservation concern, as well as sites and artefacts of archaeological significance.
34. An ecologist with experience in conservation planning must be appointed to prepare an open space management plan to outline the monitoring, measurement and management processes associated with the conservation set-aside. The open-space management plan must be developed prior to the commencement of construction of the Loxton WEF 3.
35. An aquatic specialist must be appointed to conduct post-authorisation micro-siting with the design engineers, to reduce potential impacts relating to the aquatic environment and the Stormwater Management Plan must be updated following micro-siting of the final layout.
36. Should any Species of Conservation Concern (SCC) be observed on site during construction, all construction activities and related activities must be halted and reported to the suitable specialist for a way forward.
37. A Biodiversity Management Plan (BMP) for bats must be developed by a bat ecologist before operations which includes the post-construction fatality monitoring plan design, fatality thresholds calculations and rationale, an initial curtailment plan, and an adaptive management response plan that provides a timeous action pathway for mitigation, including roles and responsibilities, should fatality thresholds be exceeded.
38. A permit must be obtained from the relevant nature conservation authority/agency for the removal or disturbance of indigenous, protected, or endangered plant or animal species. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
39. Disturbed areas must be rehabilitated as soon as possible after construction with locally indigenous plants to enhance the conservation of existing natural vegetation on site.
40. Ensure the Alien Invasive Management Plan in the EMPr manages the encroachment of woody alien invasive species across the site, to restore local avifaunal grassland habitats and functionality. Care must be taken to prevent further spread of alien invasive species during construction.
41. A report detailing the results of the pre-construction survey must be submitted to South African Heritage Resources Agency (SAHRA) for review and comment, prior to the construction phase. No construction may occur without comments from SAHRA in this regard.
42. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal, and ash concentrations), fossils

or other categories of heritage resources are found during the proposed development, SAHRA DAU (Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the National Heritage Resources Act 25 of 1999 (NHRA).

43. If unmarked human burials are uncovered, the SAHRA DAU (Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA.
44. Regarding the appointment of specialists: If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted at the expense of the developer, as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.
45. 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).

General

46. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 46.1. at the site of the authorised activity;
 - 46.2. to anyone on request; and
 - 46.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
47. 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: 10/08/2023



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 amended application form received on 15 June 2023.
- b) The information contained in the EIAr dated June 2023.
- c) The comments received from interested and affected parties as included in the EIAr dated June 2023.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated June 2023 and as appears below:

Title	Prepared by	Date
Agricultural Compliance Statement	Johann Lanz	April 2023
Aquatic Ecological Assessment	EnviroSci (Pty) Ltd	April 2023
Terrestrial Biodiversity Theme Assessment	3Foxes Biodiversity Solutions	April 2023
Animal Species Specialist Assessment for the Riverine Rabbit (<i>Bunolagus Monticularis</i>)	3Foxes Biodiversity Solutions	April 2023
Animal Species Specialist Assessment for the Karoo Dwarf Tortoise	Sungazer Faunal Surveys	April 2023
Plant Species Compliance Statement	3Foxes Biodiversity Solutions	April 2023
Avifaunal Impact Assessment	WildSkies Ecological Services	May 2023
Bat (Chiroptera) Impact Assessment	Camissa Sustainability Consulting	March 2023
Environmental Noise Impact Assessment	Enviro Acoustic Research (EARES)	April 2023
Visual Impact Assessment	Arcus Consultancy Services South Africa	May 2023
Heritage Impact Assessment	ASHA Consulting	April 2023
Palaeontological Heritage Compliance Statement	Natura Viva cc	April 2023
Social Impact Assessment	Tony Barbour Environmental Consulting	April 2023
Traffic Impact Assessment	Athol Schwarz	May 2023

Geotechnical Desktop Study	SMEC South Africa	April 2023
Energy Resource Assessment	Loxton Wind Facility 3 (Pty) Ltd	May 2023
Offset Needs Analysis	3Foxes Biodiversity Solutions	May 2023
EMPr	Arcus Consultancy Services South Africa	June 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 stems from the provision of electricity to the national grid.
- c) The EIAr dated June 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the EIAr dated June 2023 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, 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 EIAr dated June 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 EIAr dated June 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 EIAr 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.

Annexure 2: Locality Plan



ARCUS

- Substation Alternative 1
- Substation Alternative 2
- Laydown Area Alternative 1
- Laydown Area Alternative 2
- WEF 3 Site Boundary
- Turbines
- Loxton

Public Roads

- Arterial Road
- Main Road
- Secondary Road
- Minor Roads

Local Municipalities

- Ubuntu

BOTSWANA

Pretoria
Johannesburg

SOUTH AFRICA

Cape Town
East London
Durban

1:25,000 Scale @ A2

0 1.5 3 km

Produced By: JS Ref: 4462-EIS-036

Checked By: AD Date: 17/12/2022

Site Locality
Figure 2

Loxton WEF 3
Scoping Report

MS