



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/2370/2/AM5

Enquiries: Ms Matlodi Mogorosi

Telephone: (012) 399 9388 E-mail: mmogorosi@environment.gov.za

Mr William George Price
Soetwater Wind Farm (Pty) Ltd
PO Box 651286
BENMORE
2010

Tel: (010) 344 0220

Email: Nthabiseng.mosehle@enel.com / shaun.taylor@enel.com

PER MAIL / EMAIL

Dear Mr Price

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 12 AUGUST 2014 FOR THE PROPOSED 140MW SOETWATER WIND FARM (PHASE 2) AND ITS ASSOCIATED INFRASTRUCTURE ON PORTIONS 1, 2, 4 AND THE REMAINDER OF FARM ORANGE FONTEIN 203; FARM ANNEX ORANGE FONTEIN 185; FARM LEEUWE HOEK 183; AND THE FARM ZWANPELSHOEK 184 WITHIN THE KAROO HOOGLAND LOCAL MUNICIPALITY, NORTHERNCAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 12 August 2014, the first EA amendment issued by the Department on 03 May 2016, the second EA amendment issued by the Department on 13 October 2016; the third EA amendment issued by the Department on 03 May 2017; the fourth EA amendment issued by the Department on 13 December 2017; and your application for amendment to the EA received by this Department on 05 August 2019 refer.

Based on a review of the reason for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated, 12 August 2014 as follows:

Amendment 1: Extension of commencement period

The commencement period of the EA issued on 12 August 2014, which is due to expire on 12 August 2019, is hereby extended by an additional two (02) years to 12 August 2021.

Condition 6 of the EA issued 12 August 2014 is thus amended as follows:

"6. This activity must commence within a period of seven (07) years from the date of issue of the authorisation (i.e. the EA lapses on 12 August 2021). 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."

M.S

The reason for Amendment 1 is as follows:

This project has been developed to be bid into the Department of Energy's Independent Power Producers Procurement (REIPPP) Programme, and is a Preferred Bidder Project under round 4 of the programme. Construction is planned to commence in the fourth quarter of 2019. A valid environmental authorisation will be required for the project development. Therefore, the commencement period of the environmental authorisation was required to be extended by an additional two (02) years.

Amendment 2: Change to contact details (email address and contact number) of the holder of the authorisation:

From:

Cell: 060 976 8156 / 072 614 3665

Email: mantwa.mathebula@enel.com / ravisha.ajodhapersadh@enel.com

To:

Cell: 076 674 8101 / 082 466 6247

Email: Nthabiseng.mosehle@enel.com / shaun.taylor@enel.com

The reason for Amendment 2 is as follows:

The email address and contact numbers for the applicant have changed, and this update is required to be reflected in the environmental authorisation.

Amendment 3: Update to the approved environmental management programme (EMPr) and Layout:

The revised EMPr dated August 2019 (Document name: "Soetwater Wind Farm, near Sutherland, Northern Cape Province: Construction and Operation Environmental Management Programme (EMPr) – Revision 2"), amended to include an updated final layout plan (Figure 3.3. on page 10 of the EMPr and Appendix B) with the following changes, is hereby approved:

- a reduction in the number of approved turbines from 43 to 35;
- minor re-alignments of internal access roads; and
- the location of the lay-down areas (including batching plant).

The reason for Amendment 3 is as follows:

Soetwater Wind Farm (Pty) Ltd received approval of the Environmental Management Programme (EMPr) and Final Layout Plan from the Department on 29 January 2016. The number of approved wind turbines were reduced in the fourth EA amendment dated 13 December 2017, from the original authorised 56 to 43. As a result of environmental and technical restrictions, proximity clearances due to larger turbines and landowner considerations, Soetwater Wind Farm (Pty) Ltd proposed the further reduction in the number of wind turbines from 43 to 35, since it is possible to install a large turbine model which adheres to the maximum specifications previously approved in the fourth EA amendment dated 13 December 2017 (i.e. rotor diameter up to 150m, generation capacity up to 4.5MW and a hub height up to 120m for each turbine). These maximum turbine

specifications remain unchanged. The reduction in the number of turbines has resulted in slight adjustments to the positions of the wind turbines in the micro-siting process. The minor re-alignments of roads are based on the reduced turbine layout and were slightly adjusted to meet with the wind turbine locations. In order to fulfil the requirements of condition 13.12 of the EA dated 12 August 2014, the location of the temporary laydown areas (including the batching plant) have also been indicated on the layout plan. The EMPr was therefore revised and submitted to the Department for approval, to include the proposed updated facility layout plan and reduced number of turbines. The updated layout plan in the revised EMPr dated August 2019 also avoids highly sensitive areas, which were identified during specialist walk-through surveys. According to the independent Environmental Assessment Practitioner, the reduced turbine layout plan does not change the scope of work, since it is based on the original approved wind turbine locations and facility footprint, taking into account micro-siting and specialist walk through surveys, and will therefore not increase the level or nature of the impacts previously assessed.

General

This letter must be read in conjunction with the EA dated 12 August 2014; the first EA amendment dated 03 May 2016; the second EA amendment dated 13 October 2016; the third EA amendment dated 03 May 2017; and the fourth EA amendment dated 13 December 2017.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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.

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 EA, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (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: appealsdirector@environment.gov.za;

DEA Reference: 12/12/20/2370/2/AM5

Amendment of the Environmental Authorisation issued on 12 August 2014 for the proposed 140MW Soetwater Wind Farm (Phase 2) and its associated infrastructure on Portions 1, 2, 4 and the Remainder of Farm Orange Fontein 203; Farm Annex Orange Fontein 185; Farm Leeuwe Hoek 183; and the Farm Zwanepoelshoek 184 within the Karoo Hoogland Local Municipality, Northern Cape Province

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 decision 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 appealsdirector@environment.gov.za.

Yours faithfully



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

Date: 09/09/2019

CC	Ms J Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
	Mr B Fisher	Northern Cape Department of Environment and Nature Conservation	Email: bfisher@ncpg.gov.za
	Mr JJ Fortuin	Karoo Hoogland Local Municipality	Email: munman@karoohoogland.gov.za