



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: 14/12/16/3/3/2/1619/AM1

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PER EMAIL / MAIL

Dear Mr Gordon

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 17 FEBRUARY 2017 FOR THE PROPOSED CONSTRUCTION OF THE GUNSTFONTEIN SWITCHING STATION, 132kV OVERHEAD POWER LINE AND ANCILLARY INFRASTRUCTURE FOR THE PROPOSED GUNSTFONTEIN WIND FARM NEAR SUTHERLAND, NORTHERNCAPE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 17 February 2017, subsequent EA amendment issued on the 23 March 2017 and your application for amendment of the EA received by the Department on 02 February 2021, the acknowledgement letter dated 12 February 2021, the comments on the draft amendment motivation report dated 01 April 2021 and the final motivation report received on 23 April 2021, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 17 February 2017, as follows:

Amendment 1: update of the authorised power line corridor coordinates and inclusion of the Switching Station coordinates

a) The following coordinates for the powerline corridor on page 06 of the EA:

Power Line Corridor	Latitude	Longitude
Start	32°34'57.49"S	20°39'12.17"E
Middle	32°39'29.87"S	20°38'44.52"E
End	32°44'51.41"S	20°38'44.93"E

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Is amended to:

Power Line Corridor	Latitude	Longitude
Start	32°34'45.81"S	20°38'57.97"E
Middle	32°39'29.90"S	20°38'45.10"E
End	32°44'45.67"S	20°38'52.98"E

- b) The following coordinates for the switching station are added on page 06 of the EA:

Switching Station Coordinates	
Latitude	Longitude
32°34'41.83"S	20°38'56.97"E
32°34'44.15"S	20°39'0.66"E
32°34'47.28"S	20°38'57.92"E
32°34'44.96"S	20°38'54.23"E

Reason for amendment:

To avoid environmental sensitivities as identified by the recent specialist walkthroughs and to ensure that the grid connection corridor accommodates the revised layout for the Gunstfontein Wind Farm. In particular, the switching station and start-point of the overhead powerline must be adjusted to correspond with the revised Gunstfontein Wind Farm substation, to which this grid connection infrastructure is required to connect.

Amendment 2: amendment of condition 19 of the EA:

- c) Condition 19 on Page 09 of the EA:

"The holder of the authorisation may apply for an amendment of an EMPr, if such an amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the process and requirements prescribed in Regulation 37 of GN R982."

Is amended to:

"The holder of the authorisation may apply for an amendment of an EMPr, if such an amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the process and requirements prescribed in the EIA Regulations in effect at the time."

Reason for amendment:

The requirement to provide the Department with 60 days' notice before amending an EMPr has been removed from the EIA Regulations, and it is requested that Condition 19 of the EA be similarly amended. Removing the 60-day notification period will ensure that the holder of the EA can swiftly amend the EMPr as may be required in the future to respond to changing requirements/ conditions that may emerge on site. Any amendments to the EMPr will be undertaken in accordance with the requirements of the legislation relevant at the time.

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Amendment 3: Amendment to the terminating substation:

- d) The line item on page 03 of the EA in the list of triggered listed activities, GNR983 11(i):

GN R 982 item 11(i) The development of facilities or infrastructure for the transmission and distribution of electricity (I) outside an urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.	A switching station, 132kV overhead power line (~19km in length) and ancillaries would be constructed outside an urban area to connect the proposed Gunstfontein Wind Farm Facility to the Eskom Heuwels Switching Station.
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Is amended to:

GN R 982 item 11(i) The development of facilities or infrastructure for the transmission and distribution of electricity (I) outside an urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.	A switching station, 132kV overhead power line (~19km in length) and ancillaries would be constructed outside an urban area to connect the proposed Gunstfontein Wind Farm Facility to the power line extension being proposed to connect to the Hidden Valley substation, on Karusa Wind Farm.
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- e) The project description on Page 6 of the EA:

"Construction of a 132 kV overhead power line (single or double circuit) to link the Gunstfontein Switching Station to the Eskom Heuwels Switching Station, on Soetwater already authorised via a separate application and being built under Soetwater Wind Farm (bid window four preferred Bid)"

Is amended to:

"Construction of a 132 kV overhead power line (single or double circuit) to link the Gunstfontein Switching Station to the power line extension being proposed to connect to the Hidden Valley substation, on Karusa Wind Farm."

Reason for amendments:

The EA that authorised grid connection infrastructure currently terminates at the Heuwels Substation (located on Soetwater Wind Farm), however upon further investigation it has been identified that Heuwels substation will not have sufficient capacity to export the power from the Gunstfontein Wind Farm to the national grid. It is therefore necessary to by-pass Heuwels substation and rather extend the authorised grid connection to connect to the Hidden Valley substation (located on Karusa Wind Farm) located ~7.5km south of the Heuwels substation. This extension to the power line is being conducted under a separate authorisation process (currently in process – DEA Ref.: 14/12/16/3/3/1/2228). The extension connection will operate together with the authorised power line from the Gunstfontein Wind Farm and will terminate at the Hidden Valley substation located on the (separately authorised and currently under construction) Karusa Wind Farm. The EA however still currently incorrectly specifies the connecting substation as that of Heuwels Substation. It is thus requested that this be amended to the Hidden Valley substation to ensure that the terminating substation has been correctly specified within the EA and project description contained therein.

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Amendment 4: Request to correct a typographical error in property name

f) The property name on Page 5 of the EA:

"Remainder of the Farm Wolwenhoek 182"

Is amended to:

"Remainder of the Farm Wolyen Hoek 182"

Reason for amendment

The original EA (DFFE ref.: 14/12/16/3/3/1/1619) currently lists the Remainder of the Farm Wolwenhoek 182, which is incorrectly spelled, as one of the properties over which the activity has been authorised. The amendment is requested to ensure that the name provided in the EA is correct and in alignment with the Title Deed for this property, and satisfies the requirements of the financial lenders for the project who require that the property names in the EA correspond exactly with the property names as reflected on the Title Deed/s.

Amendment 5: Amendment to approve the revised EMPr (Version 1, dated March 2021)

g) Condition 14 on page 8 of the EA:

"The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. The recommendation included in the EMPr must be implemented and strictly adhered to."

Is amended to:

"The Environmental Management Programme (EMPr) Version 1 dated March 2021 is hereby approved. The recommendations included in the EMPr must be implemented and strictly adhered to."

Reason for amendment

Due to the proposed amendments, the layout contained in the approved EMPr will no longer be accurate and correspond to the EA. Therefore, condition 14 of EA dated 17 February 2017 is requested to be amended to rather reflect the revised EMPr version and date (specifically Version 1, dated March 2021), which has been revised to include the revised layout.

Note that the revised EMPr (Version 1, dated March 2021) is the originally approved EMPr of 2016, which has been updated to include the amended layout and the current date only. No other changes have been applied to the EMPr.

This proposed amendment letter must be read in conjunction with the EA dated 17 February 2017 as amended.

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 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.

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 the 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 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@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: 06/08/2021

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Chief Directorate: Integrated Environmental Authorisations

CC:	Ms Stephanie Kot	Gunstfontein Wind Farm (Pty) Ltd	E-mail: stephnie.kot@aced.co.za
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	Mr JJ Fortuin	Karoo Hoogland Municipality	E-mail: munman@karoohoogland.gov.za

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