



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/322/AM3

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Mr Thomas Condesse  
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### PER MAIL / E-MAIL

Dear Mr Condesse

### AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 03 NOVEMBER 2016 FOR THE ESTABLISHMENT OF THE 147 MW FE BONNE ESPERANCE ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR SARON WITHIN THE DRAKENSTEIN LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above-mentioned application by this Department on 03 November 2016, an EA amendment issued on 08 June 2020 and your email correspondence received by this Department on 15 June 2020, refers.

Based on a review of the reason for requesting an amendment to the above-mentioned 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 03 November 2016, as follows:

#### **Amendment 1: Increase to the rotor diameter and hub height**

- Increase rotor diameter from 122 metres to up to 165 metres, and
- Increase in the hub height from 110 metres to up to 140 metres.

#### **Amendment 2: An administrative error (i.e. amend from an increase concrete foundation to an increase overall output capacity of the wind energy facility)**

- Increase in the overall capacity of the wind energy facility from 140MW to up to 147MW

Reasons for the applied EA amendments, below:

The amendment request as per bullet points 3 & 4 on the cover letter of the application for the increase in hub height from 110m to up to 140m and rotor diameter of 122m to up to 165m has not been included within the EA amendment decision dated 08 June 2020.

An administrative error - number 5 of the amended EA issued on 08 June 2020, the heading refers to the concrete foundation of each turbine but has the details for the overall capacity change of the wind energy facility from 140MW to 147MW

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## **General**

This amendment letter must be read in conjunction with the EA amendment dated 03 November 2016, 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 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 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](mailto: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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



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

Date: 25/06/2020

CC:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: <a href="mailto:joanne@savannahsa.com">joanne@savannahsa.com</a>
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