



environmental affairs

Department
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/945/AM1

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Ms Jasandra Nyker
Biotherm Energy (Pty) Ltd
PO Box 69408
BRYANSTON
2021

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PER EMAIL / MAIL

Dear Ms Nyker

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 09 MAY 2017 FOR THE 140 MW ALETTA WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR COPPERTON WITHIN THE SIYATHEMBA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 09 May 2017 and your application for amendment to the EA received by this Department on 11 April 2019 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 (EIA) Regulations, 2014, as amended, has decided to amend the EA dated, 09 May 2017 as follows:

Amendment 1: The wording on page 8 of the environmental authorisation, typed as:

"60 wind turbines with a total output of 140MW. Turbines will have a hub height of 100m, a rotor diameter of 125m and a generation output of 3MW each;"

Is amended to:

"60 wind turbines with a total output of 140MW. Turbines will have a hub height of 120m, a rotor diameter of 140m and a generation output of 3.465MW each."

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Amendment 2: The wording on page 9 of the environmental authorisation, under 'Technical details of the proposed facility', typed as:

Component	Description / Dimensions
Hub height from ground level	100m
Rotor diameter	125m

Is amended to:

Component	Description / Dimensions
Hub height from ground level	120m
Rotor diameter	140m

Amendment 3: The current wording on Page 9, (Scope of authorisation No 2.) typed as:

'2. Only a wind turbine generator with the following specifications are authorised: An Acciona AW 125 TH 100A with a 100m hub height, 125m rotor diameter and a 3MW output.'

Is amended to:

'2. Only a wind turbine generator with the following specifications are authorised: An Acciona AW 140/3465 TH 120 with a 120m hub height, 140m rotor diameter and a 3.465MW output.'

Amendment 4: The current wording on Page 17 (Turbine position, point 37) typed as:

'37. Only a wind turbine generator with the following specifications are authorised: An Acciona AW 125 TH 100A with a 100m hub height, 125m rotor diameter and a 3MW output.'

Is amended to:

'37. Only a wind turbine generator with the following specifications are authorised: An Acciona AW 140/3465 TH 120 with a 120m hub height, 140m rotor diameter and a 3.465MW output.'

Amendment 5: The current wording on page 28 (Findings) typed as:

e. *Only a wind turbine generator with the following specifications are authorised: An Acciona AW 125 TH 100A with a 100m hub height, 125m rotor diameter and a 3MW output.*

Is amended to:

e. *Only a wind turbine generator with the following specifications are authorised: An Acciona AW 140/3465 TH 120 with a 120m hub height, 140m rotor diameter and a 3.465MW output.*

Please note, this amendment to the EA is specific to the technology used and does not approve either the Environmental Management Programme (EMPr) or the layout map. This letter must be read in conjunction with the EA dated 09 May 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 abuses or compromises 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 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;

By hand: Environment House
473 Steve Biko Road,
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 this 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: 16/10/2019

Cc: Andrea Gibb	SIVEST SA (Pty) Ltd	Email: andreag@sivest.co.za
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