



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/826/AM1

Enquiries: Ms Samkelisiwe Dlamini

Tel: 012 399 9379 E-mail: SDlamini@environment.gov.za

Mr Richard Gordon
Gunstfontein Wind Farm (Pty) Ltd
PO Box 835
CONSTANTIA
7848

Tel: 021 670 1401

Email: richard.gordon@aiimafrica.com

PER FACSIMILE / MAIL / EMAIL

Dear Mr Gordon

APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED 25 JULY 2016 FOR THE PROPOSED CONSTRUCTION OF THE 200MW GUNSTFONTEIN WIND ENERGY FACILITY ON THE REMAINDER OF THE FARM GUNSTFONTEIN 131 SOUTH OF THE TOWN OF SUTHERLAND, WITHIN THE KAROO HOOGLAND LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 25 July 2016, the EA amendment application received by the Department on 13 May 2019, and the motivation report received by the Department on 19 July 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, 25 July 2016 as follows:

Amendment 1

i) Site access co-ordinates on Page 6 of the EA is to be amended from:

Access to site	32°32'12.91"	20°39'06.97"
----------------	--------------	--------------

Is hereby amended to

Site access point 1	32°32'32.67"S	20°39'40.95"E
Site access point 2	32°34'56.62"S	22°42'59.77"E

ii) Technical details of the facility on Page 7 be amended from:

Component	Description/Dimensions
Site access	Site access will be via a gravel road which branches off the R354. The access point is located approximately 2.0-2.5km from the R354 turn-off to Klein Roggeveld.

MS

Is hereby amended to

<u>Component</u>	<u>Description/Dimensions</u>
site access	Site access will be via a gravel road which branches off the R354. Two access points are proposed approximately 2.0-2.5km and approximately 10.5-11.0km from the R354 turn-off to Klein Roggeveld.

Amendment 2: Hub height on page 7 of the EA is to be amended from

- Hub height: 120m

Is hereby amended to

- Hub height: Up to 150m

Amendment 3: The rotor diameter on Page 7 of the EA is to be amended from:

- Rotor Diameter: 140m

Is hereby amended to

- Rotor Diameter: up to 180m

Amendment 4: Turbine capacity which was not specified for the approved turbines in the original EA is hereby amended to:

- Turbine Capacity: Up to 6.5MW

Amendment 5: The layout of the turbines positions as required

Adjustments to turbine positions to cater for the larger turbines and the minimum spacing that needs to be maintained between turbines for safety reasons and to ensure optimal operations.

Amendment 6**i) Amendment to align the EA with the updated layout by removing the following conditions:**

- Condition 2: The following turbine positions are hereby approved; i.e. 1-13, 19-22, 25-29, 38-43, 48-54, 57-67
- Condition 3: The following turbine positions is not approved; i.e. 14-18, 23, 23, 30-37, 44-47, 55, 56 and 68 and does not form part of the development.
- Condition 41: The underground MV line route linking turbine 40 to turbine 49 is not approved.
- Condition 130: The following turbine positions are hereby approved, i.e. 1-13, 19-22, 25-29, 38-43, 48-54, 57-67.
- Condition 131: The following turbine positions are excluded from this environmental authorisation: turbine positions 14-18, 23, 24, 30-37, 44-47, 55, 56, 68.

ii) It is requested that condition 42 of the EA be amended from:

"The underground MV line and overhead MV line linking turbine 11 is not approved"

Is hereby amended to:

"The underground MV line and overhead MV line linking turbine 08 to turbine 11 (as shown on the layout submitted with the final EIA report, dated April 2016) is not approved"

iii) Condition 51 of the EA amended from

"The area identified as high sensitivity escarpment" by the Environmental Sensitivity and Final Optimised Layout Map (Mitigation Strategy) received by the Department on 29 June 2016 is regarded as a "no-go" area

Is hereby amended to

Areas identified as high and very high ecological sensitivity in the Environmental Sensitivity Map (Ref: Gunstfontein Updated Layout, Date: 06 May 2019) be regarded as no go areas for turbines.

Amendment 7: The following condition is removed from the EA dated 25 July 2016:

Condition 27: *"The holder of the authorisation may apply for an amendment of the EMP, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMP at least 60 days prior to submitting such amendments to the EMP to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GNR982."*

Amendment 8: Amendment of condition 123 of the EA from

Pre-construction archaeological monitoring is required. The appointed archaeologist must keep a list documenting all identified farm infrastructure.

Is hereby amended to:

Pre-construction archaeological walkthrough is required of the final layout. A report detailing the results of the walk-down must be submitted to SAHRA for comment. The holder must keep a list documenting all features or archaeological significance, identified by the archaeologist, which may be impacted by the development and which must be demarcated as no-go areas.

This letter must be read in conjunction with the EA dated 25 July 2016.

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 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,
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 appealsdirector@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 05/05/2019

cc	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
----	-------------------	----------------------------------	---