



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: 14/12/16/3/3/2/1102/AM2

Enquiries: Coenrad Agenbach

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Mr Lance Blaine
Red Cap Impofu (Pty) Ltd
Unit B2 Mainstream Centre
CAPE TOWN
7806

Telephone Number: (021) 790 1392
Email Address: lance@red-cap.co.za

PER EMAIL

Dear Mr Blaine

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 25 SEPTEMBER 2019 (AS AMENDED) FOR THE 182MW IMPOFU NORTH WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR OYSTER BAY WITHIN THE KOUGA AND KOUKAMMA LOCAL MUNICIPALITIES IN THE EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 25 September 2019, the amendment to the EA dated 16 November 2020, your application for amendment of the EA received by the Department on 10 November 2022 and the acknowledgement letter dated 14 November 2022, 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 25 September 2019 as amended, as follows:

Amendment 1: Amendment to the co-ordinates of the EA:

Page 06 of the amendment to the EA dated 16 November 2020 is hereby amended:

From:

| <i>Impofu North (WEF preferred site)</i> | <i>Latitude</i> | <i>Longitude</i> |
|---|------------------------|-------------------------|
| | 34° 05' 08.355" S | 24° 31' 25.400" E |
| | 34° 01' 53.878" S | 24° 28' 52.292" E |
| | 34° 01' 36.005" S | 24° 33' 27.210" E |
| | 34° 04' 04.710" S | 24° 35' 50.402" E |
| | 34° 04' 29.480" S | 24° 33' 03.217" E |
| | 34° 02' 44.782" S | 24° 29' 42.394" E |
| | 34° 00' 51.422" S | 24° 30' 39.314" E |
| | 34° 03' 40.157" S | 24° 36' 27.896" E |

| | | |
|--|-------------------|-------------------|
| | 34° 03' 37.748" S | 24° 35' 02.723" E |
| | 34° 03' 44.723" S | 24° 31' 59.118" E |
| | 34° 4' 21.442" S | 24° 31' 50.079" E |
| | 34° 4' 40.308" S | 24° 32' 46.361" E |

To:

| Impofu North (WEF preferred site) | Latitude | Longitude |
|--|-------------------|-------------------|
| | 34° 05' 08.355" S | 24° 31' 25.400" E |
| | 34° 01' 53.878" S | 24° 28' 52.292" E |
| | 34° 01' 36.005" S | 24° 33' 27.210" E |
| | 34° 04' 04.710" S | 24° 35' 50.402" E |
| | 34° 04' 30.18" S | 24° 33' 22.88" E |
| | 34° 02' 44.782" S | 24° 29' 42.394" E |
| | 34° 00' 51.422" S | 24° 30' 39.314" E |
| | 34° 03' 40.157" S | 24° 36' 27.896" E |
| | 34° 03' 37.748" S | 24° 35' 02.723" E |
| | 34° 05' 04.93" S | 24° 33' 57.52" E |
| | 34° 04' 42.25" S | 24° 34' 33.39" E |
| | 34° 04' 15.03" S | 24° 34' 13.86" E |

Reason for amendment:

The applicant applied to change the layout of the facility to establish an optimal distribution of turbines for a balanced output capacity between the three wind farms and this required that some turbines be included or excluded from the respective wind farms.

Amendment 2: Amendment to the technical details of the EA:

Page 10 of the amendment to the EA dated 16 November 2020 is hereby amended:

From:

| Component | Description/Dimension |
|--|--|
| Surface area to be covered (including associated infrastructure such as roads) | Total approximately 614,450m ² comprising of: Temporary construction laydown areas (turbine hardstand areas): 26 x 6200m ² = 161,200 m ² ; Temporary site camp areas: 15,000m ² and batching plant area of approximately 1,000m ² ; Permanent upgrade of existing tracks and roads and construction of new roads covering an area of approximately 370,000m ² ; Permanent laydown areas of approximately 26 x 40 x 50m = 52,000m ² ; and Impofu North Substation approximately 150 x 75m = 11,250m ² . Temporary areas will be rehabilitated after construction. |

To:

| Component | Description/Dimension |
|--|---|
| Surface area to be covered (including associated infrastructure such as roads) | Total approximately <u>595.000m²</u> comprising of: Temporary construction laydown areas (turbine hardstand areas): 26 x 6200m ² = 161,200m ² ; Temporary site camp areas: 15,000m ² and batching plant area of approximately 1,000m ² ; Permanent upgrade of existing tracks and roads and construction of new roads covering an area of approximately <u>350.000m²</u> ; Permanent laydown areas of approximately 26 x 40 x 50m = 52,000m ² ; and Impofu North Substation approximately 150 x 75m = 11,250m ² . Temporary areas will be rehabilitated after construction. |

Reason for amendment:

The applicant applied to change the layout of the facility to establish an optimal distribution of turbines for a balanced output capacity between the three wind farms and this required that some turbines be included or excluded from the respective wind farms.

This proposed amendment letter must be read in conjunction with the EA dated 25 September 2019 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 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 fourteen (14) days of the date of the decision, 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 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 (twenty) 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@dffe.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 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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 06/12/2022.

| | | | |
|-----|------------------|--|---------------------------------------|
| cc: | Belinda Clark | CEN Integrated Environmental Management Unit | Email: bclark@telkomsa.net |
| | Dayalan Govender | Eastern Cape DEDEAT | Email: dayalan.govender@dedeat.gov.za |
| | Charl du Plessis | Kouga Local Municipality | Email: jreed@kouga.gov.za |
| | Ted Pillay | Sarah Baartman District Municipality | Email: tpillay@cacadu.co.za |



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Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dfpe.gov.za

Ms. Milicent Solomons
Director: Prioritised Infrastructure Projects

Dear Ms. Solomons

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS
FOR THE PERIOD 01 NOVEMBER 2022 – 16 DECEMBER 2022**

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorizations, for the period of 01 November 2022 – 16 December 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms. Devinagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and
Sector Monitoring)

Date: 31 October 2022

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorisations

Signed:

Date: 31/10/2022.