



Environmental Evaluation Unit

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NOTIFICATION OF AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED KERRIE FONTEIN AND DARLING WIND FARM, DEA REF: 12/12/20/1928, NEAS REF: DEAT/EIA/12186/2011

Oelsner Group (Pty) Ltd submitted an application for authorisation to develop the Kerrie Fontein and Darling Wind Farm in terms of the National Environmental Management Act (107 of 1998), as amended, and the Environmental Impact Assessment (EIA) Regulations (2006).

As a registered Interested and Affected Party (I&AP) you were officially notified that Environmental Authorisation (EA) was granted by the Department of Environmental Affairs (DEA) in November 2011. The letter dated 10 November 2011 included the details of the two proposed amendments which the Applicant was in the process of submitting:

The Name of the Applicant

The 'Oelsner Group (Pty) Ltd' was the original applicant for the application. During the process, a new company known as 'Combined Kerriefontein Darling IPP (Pty) Ltd' has been established for the purposes of developing the facility. The company is represented by the same directors, Mr Hermann Oelsner and Mrs Antoinette Oelsner. An amendment to change the name of the applicant has been granted.

The Farm Portions

Inconsistencies in the naming of the farm portions were found within the Environmental Authorisation. These have arisen both from an omission on the original application and a technical error in the drafting of the Environmental Authorisation. An amendment is being sought to resolve these discrepancies by providing the correct information: the farm portions are Kerrie Fontein (0/555) and Slangkop (3/552).

This letter therefore serves as notice that these amendments have been approved by DEA, refer to the attached letter for the details of the amendments. Should you wish to appeal on the basis of these two changes, please follow the appeals process outlined below.

Your attention is drawn to Chapter 7 of the EIA Regulations, which sets out the appeal procedure to be followed. The original attached authorisation provided a summary of the appeals procedure for your reference and has been attached to this letter. Should any party wish to appeal any aspect of the amendment decision, a notice of intention to appeal must be lodged with the Minister, within 20 days of date of the Environmental Authorisation (no later than 24 February 2012), by means of the following methods:

Facsimile: (012) 320 7561

Post: Private Bag X447, Pretoria, 0001

Hand: 2nd Floor, Fedsure Building, North Tower, cnr. Van der Walt and Pretorius Streets, Pretoria.

Appeals on the amendment decision must be submitted, in writing, to

Mr TH Zwane, Senior Legal Administration Officer (Appeals) at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: (012) 310 3929

Email: TZwane@environment.gov.za

The Final Environmental Impact Report and other supporting information can be found on the Environmental Evaluation Unit (University of Cape Town) website for reference, at the following address:

<http://www.eeu.org.za/thematic-areas/environmental-management-and-sustainability/kerrie-fontein-and-darling-wind-farm>

Kind Regards

A handwritten signature in black ink that reads "K Scott". The signature is written in a cursive, slightly slanted style.

Kirsten Scott
Environmental Evaluation Unit

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA])	1. Receive EA from Applicant/Consultant
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA, with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA, with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. An appeal against a decision must be lodged with:-

- a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;

2. An appeal lodged with:-

- a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
- b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

3. An appeal must be:-

- a) submitted in writing;
- b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

