



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/1585/AM7

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 E-mail: MEssop@environment.gov.za

Mr William George Price
Oyster Bay Wind Farm (Pty) Ltd
5th Floor, Block B
102 Rivonia Road
SANDTON
2196

Cell phone Number: (060) 976 8156
E-mail Address: mantwa.mathebula@enel.com

PER EMAIL / MAIL

Dear Mr Price

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 MAY 2012 FOR THE ESTABLISHMENT OF A WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON A SITE NEAR OYSTER BAY, KOUGA LOCAL MUNICIPALITY WITHIN THE CACADU DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 08 May 2012, the amendment to the EA dated 20 March 2013, 16 April 2013, 17 July 2013, 27 June 2014, 05 August 2014 and 06 March 2015, and your application for amendment of the EA received by this Department on 28 February 2017, 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, has decided to amend the EA dated 08 May 2012 as amended, as follows:

Amendment 1: Amendment to the holder of the EA:

From:

"Oyster Bay Wind Farm (Pty) Ltd"

Represented by: *Ms Natalia Paraskevopoulou*
5th floor, Block B
102 Rivonia Road
SANDTON
2196

Cell phone Number: (076) 252 5964
Email Address: *natalia.paraskevopoulou@enel.com*

M.S

To:

"Oyster Bay Wind Farm (Pty) Ltd"

Represented by: *Mr William George Price*
5th floor, Block B
102 Rivonia Road
SANDTON
2196

Cell phone number: *(060) 976 8156*

Email Address: *mantwa.mathebula@enel.com/tronisha.hardev@enel.com*

The applicant applied to change the contact details of the holder of the EA, as the contact details have changed since the EA was issued.

Amendment 2: Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of the EA issued on 08 May 2012 as amended (i.e. the EA lapses on 08 May 2019). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

The applicant applied to extend the validity period of the EA for a second time as the development was bid into the DoE REIPPP and was awarded preferred bidder status in April 2015. Due to the delays in obtaining financial close and signing of the Power Purchase Agreements, the applicant requests an extension of an additional two years to allow sufficient time to obtain financial close and for construction to commence.

This proposed amendment letter must be read in conjunction with the EA dated 08 May 2012 as amended.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

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:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

M.S

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, 1998, 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: 16/03/2019

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