

**Ref:02/1/5/2**

**MINISTER**

**QUESTION NO. 1187 FOR WRITTEN REPLY: NATIONAL ASSEMBLY**

A draft reply to **Mr R K Purdon (DA)** to the above-mentioned question is enclosed for your consideration.

**MS LIMPHO MAKOTOKO**

**ACTING DIRECTOR-GENERAL**

**DATE:**

**DRAFT REPLY APPROVED/AMENDED**

**DR B E E MOLEWA, MP**

**MINISTER OF ENVIRONMENTAL AFFAIRS**

**DATE:**

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 1187 {NW1328E}**

**INTERNAL QUESTION PAPER NO. 16 of 2017**

**DATE OF PUBLICATION: 15 May 2017**

**Mr R K Purdon (DA) to ask the Minister of Environmental Affairs:**

In light of the now observed and quantifiable threat posed to Cape Vultures by wind farms within the draft Cookhouse Renewable Energy Development Zones (REDZ) and which has been communicated to her department by a certain company (name and details furnished), why has her department not (a) immediately invoke the National Environmental Management Act, Act 107 of 1998, as amended, and prescribe a risk-averse and cautious approach, (b) institute an immediate halt to the proposed Spitskop West wind farm application, within the subject draft REDZ(s) and (c) why has her department failed to engage the local expertise of certain companies (names furnished) in this critical matter?

**1187. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:**

1. The department has, and will continue to apply the requirements of the National Environmental Management Act, Act 107 of 1998, as amended, as well as its subordinate legislation and will continue to ensure that it uses, among other things, a risk-averse and cautious approach in its assessments.
2. DEA cannot “halt applications” and its Environmental Impact Assessment (EIA) processes once an application is received in terms of the EIA Regulations. In other words, the processes prescribed in terms of the legislation would have to be followed to finalise the application. DEA is obliged to consider all factors, including the findings of the assessment/s conducted for the facility in order to make an informed decision on whether to grant or refuse the application. The Spitskop West Wind Energy Facility’s EIA has not been concluded yet and DEA is awaiting the submission of the environmental impact assessment report (EIAr) which contains comments received on the proposed project and the specialist studies which will indicate the impact and significance of the impacts on, inter alia, avifauna. I am advised that, DEA has on-going consultations with BirdlifeSA and others. Vulpro and BirdlifeSA also have the opportunity to register as interested and affected parties (I&APs) and participate and provide input in the EIA process. The Renewable Energy Development Zones (REDZ) have been Gazetted for comment. For any site-specific EIA application in the REDZ, an assessment will still be required in future to determine site-specific impacts. The EIA process has in this case, as has been mentioned, not been concluded yet and no decision has been made by DEA.
3. It must be understood that the department is not required by law to “engage the local expertise of certain companies”, but rather its function is to ensure that the reports submitted by the experts commissioned by the Environmental Impact Assessment practitioner (EAP) meet legislated requirements.

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