



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: 12/12/20/1721/AM9

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Mr John Cullum
Mulilo Springbok Wind Power (Pty) Ltd
Private Bag X21
HOWARD PLACE
7450

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PER EMAIL / MAIL

Dear Mr Cullum

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JULY 2011 FOR THE PROPOSED 55.5MW SPRINGBOK WIND POWER GENERATION FACILITY NEAR SPRINGBOK, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 27 July 2011, the amendments to the EA dated 24 October 2011, – 27 June 2014, 2 July 2015, 18 May 2016, 25 June 2018, August 2018, 08 July 2019 and 28 June 2021, your application for amendment of the EA received by the Department on 26 January 2023, the acknowledgement letter dated 08 February 2023 and the motivation report dated May 2023 and received on 17 May 2023, 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 27 July 2011 as amended, as follows:

Amendment 1: Extension of the validity of the Environmental Authorisation on the EA dated 27 July 2011, as amended:

“The activity must commence within a period of sixteen (16) years and 6 months from the date of expiry of the EA issued on 27 July 2011 (i.e. the EA lapses on 27 January 2028). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for the environmental authorisation must be made in order for the activity to be undertaken.”

Reason for amendment: The 55.5 MW Springbok Wind Energy Facility was originally developed to be built and operated under the government's Renewable Energy Independent Power Producer Programme ("REIPPP"). As the REIPPP has experienced numerous and significant delays in moving forward in the last few years, it has in the past required the project developers to renew the Environmental Authorisation (EA) anticipating that the REIPPP programme would commence again soon, which would allow the project to be bid and eventually constructed. In 2021, the project had been assigned to a private off taker, and EA Amendment 8 was granted to extend the EA beyond 10 years, by an additional 18 months. However, due to recent Eskom grid capacity

constraints and the further development and commencement of construction has been suspended to a yet to be determined date.

Recommendations and mitigation measures proposed must be included in the EMPr to be submitted to the Department for approval.

This proposed amendment letter must be read in conjunction with the EA dated 27 July 2011 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 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 prescribes 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: appeals@dfef.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 appeals@dfpe.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 06/06/2023

cc:	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: loanne@savannahsa.com
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