



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA

DEA Reference: 12/12/20/1651/AM5

Enquiries: Ms Shirley Chauke

Tel: 012 399 9216 E-mail: Schauke@environment.gov.za

Mr John Hamilton Cullum
Longyuan Mulilo De Aar Wind Power (RF) (Pty) Ltd
PO Box 548
CAPE TOWN
7450

Tel: 021 685 3240

Email: johnny@mulilo.com

MAIL / E-MAIL

Dear Mr Cullum

AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED 15 AUGUST 2011 FOR THE LONGYUAN MULILO DE AAR MAANHAARBERG WIND ENERGY FACILITY NEAR DE AAR, NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the above application by this Department on 15 August 2011, the EA amendment application received by the Department on 06 September 2019 refer.

Based on a review and the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated 15 August 2011, as amended, as follows:

Amendment 1: Updating contact details of the holder of the EA from:

Longyuan Mulilo De Aar Wind Power (Pty) Ltd
Represented by: Mr John Hamilton Callum
PO Box 50
Cape Town International Airport
7525

Tel: (021) 934 5278

Fax Number: (021) 935 0505

Email: johnny@mulilo.com

Is hereby amended to:

Longyuan Mulilo De Aar Wind Power (RF) (Pty) Ltd
Represented by: Mr John Hamilton Cullum
PO Box 548
Howard Place
Cape Town
7450

M.S

Tel: (021) 685 3240
Fax Number: (086) 635 6809
Email: johnny@mulilo.com / bertus@mulilo.com

Amendment 2: The removal of Condition 10.5.4 from the EA which reads as follows:

"10.5.4. Commercial messages and graffiti on turbines must be avoided"

Reasons for the abovementioned amendment are as follows:

The contact person for the holder of the EA, Mr John Hamilton Cullum has moved office premises and therefore wishes to update the contact details of the representative of the holder of the EA. In addition, the name of the holder of the EA needs to be updated to include the letters '(RF)', as per the company registration documentation, i.e. Longyuan Mulilo De Aar Wind Power (RF) (Pty) Ltd.

The visual specialist indicated that the site is far from receptors and that the logos on the nacelles and/or towers would not be clearly seen, due to the towers and nacelles being higher and therefore detail is less visible. The visual specialist indicated that the amendment to remove *Condition 10.5.4* from the EA and therefore provide logos on either or both tower and nacelle would not negatively impact on the visual impact of the infrastructure. The heritage specialist is also of the opinion that logos are not a heritage issue (in terms of landscape characteristics) and that the impact of logos on the landscape character is therefore within generally acceptable limits and the inclusion of logos would not impact of heritage resources. The visual impact of the logos on the landscape will be negligible and the approved amended will not result in an increased level of visual impact. The Civil Aviation Authority also confirmed via email dated 08 March 2017 that the inclusion of logos/branding on the nacelles will not be a problem according to the Civil Aviation Act (1962).

This letter must be read in conjunction with the EA dated 15 August 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 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 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 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 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: appealsdirector@environment.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 appealsdirector@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 08/10/2019

cc	Nicole Holland	Holland & Associates Environmental Consultants	Email: nicole@hollandandassociates.net
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