



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/690/AM2

Enquiries: Ms Bathandwa Ncube

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Mr Eugene Marais
Africa Mainstream Renewable Power Developments (Pty) Ltd
P.O Box 45063
CLAREMONT
7735

Tel : 021 657 4040

Email : eugene.marais@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Marais

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 SEPTEMBER 2015 FOR THE 140MW DWARSRUG WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR LOERIESFONTEIN, HANTAM LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 28 September 2015 and your application for amendment to the EA received by the Department on 12 August 2019 and the final amendment report received by the Department on 11 November 2019, 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 (EIA) Regulations, 2014, as amended, has decided to amend the second EA dated, 28 September 2015 as follows:

Amendment 1: Technical details of the proposed facility:

a) The line items in the table of technical details of the proposed facility on Page 11 of the EA:

Component	Description/ Dimensions in EA
Number of turbines	70
Hub height from ground level	Not Specified
Rotor diameter	Not Specified

Are amended to:

Component	Description/ Dimensions in EA
Number of turbines	44
Hub height from ground level	Up to 200m
Rotor diameter	Up to 200m

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b) The project description on Page 10 of the EA typed as:

"The Dwarsrug Wind Energy Facility will comprise the following:

- Up to 70 individual turbines with a total generation capacity of 140MW;"

Is amended to:

"The Dwarsrug Wind Energy Facility will comprise the following:

- Up to 44 individual turbines with a total generation capacity of 140MW;"

c) Condition 1 on page 11 of the EA, typed as:

"The construction of the Dwarsrug Wind Energy Facility and its associated infrastructure with a maximum of 70 wind turbines with a total output capacity of 140 MW as described above is hereby approved."

Is amended to:

"The construction of the Dwarsrug Wind Energy Facility and its associated infrastructure with a maximum of 44 wind turbines with a total output capacity of 140 MW as described above is hereby approved."

d) Condition 125 on page 26 of the EA, typed as:

"The 70 approved turbines must be placed in a manner to avoid high visibility areas, "no-go" areas as well as its buffers."

Is amended to:

"The 44 approved turbines must be placed in a manner to avoid high visibility areas, "no-go" areas as well as its buffers."

Reasons for the amendment

The turbines available on the market are constantly improving and as new technology becomes available the turbine specifications often change. The above amendments are required to meet the new technology on the market. These continuous developments and improvements allows wind turbines to be more efficient, which in turn, enhance environmental, technical and financial feasibility of the project and avoid potential implementation delays. The amendments does not trigger any new listed activities.

Based on the amendments above, the following conditions are included in the EA:

- 1. The 2km turbine-free buffer zone around the Martial Eagle nests on the Aries – Helios 400kV transmission line must be converted to a 5km turbine-free zone, and the number of turbines beyond the 5km turbine-free zone, up to a radius of 6km from the nest, must be restricted to an absolute minimum.***
- 2. The turbines remaining within the 6km zone must be mitigated through the painting of one blade (black or red), or through an alternative, proven deterrent strategy.***
- 3. The revised mitigation measures are subject to a walk-through by the avifaunal specialist prior to the construction commencing, to confirm the location and status of all priority species nests within the area of influence of the wind farm.***
- 4. Sensitivity areas must be upgraded to high sensitivity with a minimum buffer zone of 200m. High sensitivity entails the full exclusion of turbines from sensitivity areas as well as their buffer zones.***

5. **Turbine blade tips must be excluded from entering the buffer areas.**
6. **Turbine layouts must adhere to the sensitivity areas and buffers, and the layout must be approved by a bat specialist upon finalisation of turbine specifications.**
7. **All turbines are prevented from freewheeling at all times.**
8. **A Palaeontological walkdown must be conducted on the final layout of the WEF prior to construction. The results of such must be submitted to SAHRA for comment prior to construction. No construction activities may occur without comments from SAHRA in this regard.**
9. **The cemetery at DR04 must be restored and fenced prior to construction commencing.**
10. **If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the National Heritage Resources Act (NHRA).**
11. **If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA.**
12. **If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.**
13. **All recommendations of the Specialists as well as comments raised by the interested and affected parties (I&APs) must be incorporated into the EMP.**
14. **The amended layout must undergo a minimum of 30 days public participation and thereafter be submitted for the Department's approval prior commencement of construction.**
15. **Final layout must comply with conditions 13 and 14 of the EA dated 28 September 2015.**

Amendment 2: Contact details of the EA holder:

The details of the holder of the EA:

"South Africa Mainstream Renewable Power Developments (Pty) Ltd

Represented by : Mr Michael Mangnall
PO Box 45063
CLAREMONT
7735

Telephone Number : (021) 657 4052
Fax Number : (021) 671 5665
Cell phone Number : (073) 871 5781
E-mail Address : Eugene.Marais@mainstreamrp.com

are amended to:

"South Africa Mainstream Renewable Power Developments (Pty) Ltd

Represented by : Mr Eugene Marais
PO Box 45063
CLAREMONT
7735

DEA Reference: 14/12/16/3/3/2/690/AM2

Amendment of the Environmental Authorisation issued on 28 September 2015 for the Development of the 140MW Dwarsrug Wind Energy Facility and its associated infrastructure near Loeriesfontein, Hantam Local Municipality, Northern Cape Province

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Telephone Number : (021) 657 4040
Fax Number : (021) 671 5665
E-mail Address : Eugene.marais@mainstreamrp.com

Reasons for the amendment

The current contact person (Michael Mangnall) is no longer employed by Mainstream and Eugene Marais is now acting as the contact/ responsible person for the EA. Eugene Marais is willing and able to assume responsibility of the EA issued, and the company has resolved to authorise Eugene Marais to act on behalf of South Africa Mainstream Renewable Power Developments (Pty) Ltd.

This letter must be read in conjunction with the EA dated 28 September 2015.

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@environment.gov.za;

By hand: Environment House
473 Steve Biko Road,
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 decision 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@environment.gov.za.

Yours faithfully,



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

Date: 16/03/2020

cc:	Mr Stephan Jacobs	SIVEST SA (Pty) Ltd.	Email: stephanj@sivest.co.za
	Mr Thulani Mthombeni	Northern Cape DENC	Email: tmthombeni@ncpg.gov.za
	Mr Riaan Van Wyk	Hantam Local Municipality	Email: vanwykir@hantam.gov.za