

Your reference: N/a  
Our reference: 10777  
Date: 6 June 2013

Dear Interested and Affected Party

**MINOR AMENDMENT TO ENVIRONMENTAL AUTHORISATION ISSUED: PROPOSED CONSTRUCTION OF A 188.6MW WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR NOUPOORT, NORTHERN CAPE PROVINCE**

• **NOTIFICATION OF MINOR AMENDMENT TO ENVIRONMENTAL AUTHORISATION**

**DEA REF: 12/12/20/2319**  
**NEAS REF: DEA/EIA/0000382/2011**

We would like to inform you that the Application for Minor Amendment of the Environmental Authorisation (EA) for the proposed construction of an 188.6MW Wind Energy Facility and its associated infrastructure near Noupoort, Northern Cape Province, South Africa that was submitted to the Department of Environmental Affairs (DEA) for consideration has been approved.

In terms of section 39 of the Environmental Impact Assessment (EIA) Regulations promulgated on 18 June 2010, the holder of an EA can apply to the relevant competent authority for an amendment of the EA. As such, SiVEST (the independent environmental assessment practitioner) submitted an application on behalf of the holder of the EA (Mainstream Renewable Power South Africa (Pty) Ltd) for a minor amendment to the EA to the Department of Environmental Affairs (DEA) on the 28<sup>th</sup> February 2013. The minor amendment EA was subsequently authorised and released on the 07<sup>th</sup> May 2013. However, the EA did not contain the correct holder of the EA name as initially requested. Another application for minor amendment to the EA was submitted on the 16<sup>th</sup> May 2013.

The Environmental Authorisation (dated 31<sup>st</sup> May 2013) was received from the DEA. The DEA is satisfied, on the basis of the information provided and subject to compliance with the conditions of the environmental authorisation, that the EA be amended. Changes made to the EA can be found in the amended EA.

Should the applicant or any party, wish to appeal any aspect of the decision, a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the Environmental Authorisation (19<sup>th</sup> June 2013), by means of the following methods:

By facsimile: 012 320 7561

**Or**

By Post: Department of Environmental Affairs  
Private Bag X447  
Pretoria  
0001

**Or**

By Hand 2<sup>nd</sup> Floor, Fedsure Forum Building, North Tower  
Corner Lilian Ngoyi (Van der Walt) and Pretorius Streets  
Pretoria

**Appeals must be submitted in writing to:**

Mr Z. Hassam (Director: Appeals and Legal Review) of the DEA at the above given details. Mr Z. Hassam can also be contacted at the details below:

Tel: 012 310 3721

E-mail: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

Please note that appeals should not be sent to SiVEST or the Applicants.

For further information or to obtain a copy of the Environmental Authorisation, please contact SiVEST as follows:

**SiVEST** Environmental: Shaun Taylor

Tel: (011) 798 0691

Fax: (011) 803 7272

Email: [shaunt@sivest.co.za](mailto:shaunt@sivest.co.za)

The Environmental Authorisation is also available on the SiVEST website ([www.sivest.co.za](http://www.sivest.co.za)). Click on the downloads tab (top right corner) and scroll down to '10777 Noupoot Wind Farm'.

Please refer to the appeal procedure attached herewith for the details pertaining to the appeal process.

We would like to thank you for participating in the Environmental Impact Assessment (EIA) process and being part of the public participation process during the BA for this proposed project. Your participation has been valuable and highly appreciated and was a key factor in assisting the preparation of informed Environmental Authorisations.

Yours sincerely



Shaun Taylor  
ENVIRONMENTAL SCIENTIST

**Documents Included:** Appeal Procedure

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 AS PER GN R 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
1. Receive notice of Environmental Authorisation (EA) from the relevant Competent Authority (CA) (the DEA).	1. Receive notice of EA from Applicant/ Consultant.
2. Within 12 days of date of the EA, notify all I&APs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered I&AP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve each I&AP: <ul style="list-style-type: none"> <li>• A notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve the Applicant within 10 days of lodging the notice: <ul style="list-style-type: none"> <li>• A notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
6. The appeal must be submitted to the Minister within 30 days after the lapsing of the 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the 20 days provided for the lodging of the notice of intention to appeal.
7. Any I&AP who received notice of an appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to appeal may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

**NOTES:****1. An appeal against a decision must be lodged with:**

- a. the Minister of Water and Environmental Affairs if the decision was issued by the Director-General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b. the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director-General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority.

**2. An appeal lodged with:**

- a. the minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
- b. the minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs

**3. An appeal must be:**

- a. Submitted in writing;
- b. Accompanied by:
  - a statement setting out the grounds of appeal;
  - supporting documentation which is referred to in the appeal; and
  - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.