

# Holland & Associates



Environmental Consultants

*Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review*

29 June 2017

Dear Interested and/or Affected Party

**AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 (REPLACED BY THE SECOND ISSUE OF THE ENVIRONMENTAL AUTHORISATION DATED 7 JUNE 2016) FOR THE CONSTRUCTION OF THE 132KV TRANSMISSION LINE AND ASSOCIATED INFRASTRUCTURE FROM THE LONGYUAN MULILO DE AAR MAANHAARBERG WIND ENERGY FACILITY TO THE HYDRA SUBSTATION NEAR DE AAR, NORTHERN CAPE PROVINCE (DEA REFERENCE NO.: 14/12/16/3/3/1/1165/AM2)**

## **Notification of Amendment of the Environmental Authorisation**

This letter serves to notify all registered Interested and Affected Parties (I&APs) of the Department of Environmental Affairs' (DEA) decision in respect of the application for amendment of the Environmental Authorisation issued on 11 August 2014 (and replaced by the second issue of the Environmental Authorisation dated 7 June 2016) for the construction of the 132kV transmission power line and associated infrastructure adjacent to the existing ESKOM transmission power line from the Longyuan Mulilo De Aar Maanhaarberg Wind Energy Facility (WEF) to the Hydra Substation in De Aar, within the Emthanjeni Local Municipality, Northern Cape Province. Furthermore, the provisions regarding the submission of appeals that are contained in the National Environmental Management Act (NEMA) (No. 107 of 1998) Environmental Impact Assessment (EIA) Regulations (2014), as amended, are also outlined herein, should an I&AP wish to appeal DEA's decision.

### **1. Decision**

We wish to inform you that, based on a review of the reason submitted by Longyuan Mulilo De Aar Wind Power (RF) (Pty) Ltd for requesting an amendment to the abovementioned Environmental Authorisation (EA) (i.e. amendment to the holder of the EA), the DEA, in terms of Chapter 5 of the EIA Regulations, 2014, as amended, **has decided to amend the EA dated 11 August 2014 (replaced by the second issue EA dated 7 June 2016)**, as follows:

---

**Amendment to the holder of the EA:****From:**

*Mr John Cullum  
Longyuan Mulilo De Aar Wind Power (Pty) Ltd  
P.O. Box 50  
CAPE TOWN INTERNATIONAL AIRPORT  
7525  
Tel No: (021) 934 5278  
Fax: (021) 935 0505  
Email Address: karen@mulilo.com*

**To:**

*Ms Debbie Harding  
ESKOM Holdings SOC Limited  
P.O. Box 606  
KIMBERLEY  
2300  
Telephone no: (053) 830 5774  
Email: HardinD@eskom.co.za*

The applicant applied for the transfer of the holder of the EA to ESKOM Holdings SOC Limited in order to execute the operational phase of the project. According to the Self Built Agreement, it was the responsibility of the Applicant to undertake the environmental assessment process and construct the 132kV distribution line and associated infrastructure, thereafter, hand over the 132kV distribution line and associated infrastructure to ESKOM Holdings SOC Limited for operation.

DEA's decision of the amendment of the EA, dated 9 May 2017, is attached as Annexure A.<sup>1</sup>

**2 Right to appeal**

We would like to draw your attention to your right to appeal against the decision to the Minister in terms of the National Appeal Regulations (Government Notice No. R993) of the NEMA EIA Regulations (2014), as amended, which prescribes the appeal procedure to be followed.

Note: Ordinarily, an Applicant must, in writing, within 14 days of the date of a decision, ensure that I&APs are notified of the decision, the reasons for the decision, and their right to Appeal. Note however that, whilst the decision for the amendment application was dated 9 May 2017, the Applicant and Environmental Assessment Practitioner were only notified of the decision by DEA on 19 June 2017. This has resulted in a delayed notification to I&APs of the decision. I&APs nevertheless still have the right to appeal the decision.

---

<sup>1</sup> DEA's letter regarding the decision to amend the EA dated 9 May 2017 must be read in conjunction with the EA dated 7 June 2016, which replaced the EA dated 11 August 2014, as well as amendments to the EA granted on 2 December 2014.

---

Should any person wish to lodge an appeal, the appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the Applicant (i.e. Longyuan Mulilo De Aar Wind Power (RF) (Pty) Ltd), any registered Interested and Affected Party (I&AP), and any organ of state with interest in the matter within 20 days from the date<sup>2</sup> that the notification of the decision was sent to the registered I&APs by the Applicant, or the date<sup>3</sup> that the notification of the decision was sent to the Applicant by DEA, whichever is applicable, together with a request for condonation of a late appeal, to the Minister.

Appeals must be submitted in writing in the prescribed form to:

Mr Z Hassam, Director: Appeals and Legal Review, of DEA, at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

By post: Private Bag X447,  
Pretoria,  
0001; or

By hand: Environment House  
473 Steve Biko,  
Arcadia, Pretoria,  
0083

To obtain the prescribed appeal form and for guidance on the submission of appeals, those wishing to appeal should visit the DEA website at [http://www.environment.gov.za/documents/forms#legal\\_authorisations](http://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Should you require any further information or have any queries, please contact the undersigned.

Yours sincerely



**NICOLE HOLLAND** (Pr. Sci. Nat.)

**For: Holland & Associates - Environmental Consultants**

---

<sup>2</sup> This letter, which has been sent to registered I&APs on behalf of the Applicant, serves as notification of DEA's decision, and was posted on 29 June 2017.

<sup>3</sup> 19 June 2017

---

**ANNEXURE A:  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS' AMENDMENT OF ENVIRONMENTAL  
AUTHORISATION – 9 MAY 2017**

**BYLAE A:  
DEPARTEMENT VAN OMGEWINGSAKE SE WYSIGING VAN DIE OMGEWINGSMAGTIGING –  
9 MEI 2017**

---