

Holland & Associates



Environmental Consultants

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

8 September 2017

Dear Interested and/or Affected Party

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE CONSTRUCTION OF A 132KV TRANSMISSION POWER LINE ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY FACILITY TO THE HYDRA SUBSTATION IN DE AAR, NORTHERN CAPE PROVINCE (DEA REF NO.: 14/12/16/3/3/1/1166/AM4)

Notification of Amendment (Correction) of the Environmental Authorisation:

The Department of Environmental Affairs' (DEA) amendment decision dated 15 May 2017 and our correspondence of 30 June 2017 notifying Interested and Affected Parties (I&APs) of the aforementioned decision, refer.

Two editorial errors, relating to the name of the holder of the Environmental Authorisation (EA) and the project title, were included in the EA amendment decision dated 15 May 2017. Holland & Associates Environmental Consultants, on behalf of Longyuan Mulilo De Aar 2 North (Pty) Ltd, notified DEA of the errors on 6 July 2017, requesting that the errors be corrected. This letter serves to notify all registered I&APs of DEA's decision in respect of Longyuan Mulilo De Aar 2 North (Pty) Ltd's request to correct the errors in the amendment decision dated 15 May 2017.

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 2 North (Pty) Ltd for requesting an amendment (correction) to the abovementioned Environmental Authorisation (EA) (i.e. correction of the name of the holder of the EA, and correction of the project title of the EA amendment dated 15 May 2017), the DEA, in terms of Regulation 27(4) of the EIA

Regulations, 2014, as amended, has on 25 August 2017 decided to correct the errors in the amendment of the EA dated 11 August 2014 , as follows:

1.1 Amendment 1: Correction of typographical error of name of holder of EA on page 1 of the EA amendment letter dated 15 May 2017:

From:

“Longyuan Mulilo De Aar North (Pty) Ltd”

To:

“Longyuan Mulilo De Aar 2 North (Pty) Ltd”

1.2 Amendment 2: Correction of typographical error in project title:

From:

*“AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE **PROPOSED** CONSTRUCTION OF A 132KV TRANSMISSION POWER LINE **CORRIDOR** ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY TO THE HYDRA SUBSTATION IN DE AAR IN THE NORTHERN CAPE PROVINCE”*

To:

“AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE CONSTRUCTION OF A 132KV TRANSMISSION POWER LINE ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY TO THE HYDRA SUBSTATION IN DE AAR IN THE NORTHERN CAPE PROVINCE”

DEA's amendment decision dated 25 August 2017, is attached as Annexure A.¹

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.

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 2 North (Pty) Ltd, any registered Interested and Affected Party (I&AP), and any organ of state with interest in the

¹ DEA's letter regarding the decision to amend the EA dated 25 August 2017 must be read in conjunction with the EA dated 11 August 2014. Copies of the EA dated 11 August 2014, and associated amendments, are available on request from Nicole Holland of Holland & Associates Environmental Consultants.

matter within 20 days from the date² that the notification of the decision was sent to the registered I&APs by the Applicant, or the date³ 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;

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 or request a copy of the documents at 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

² 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 8 September 2017.

³ 29 August 2017

Holland & Associates



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8 September 2017

Geagte Belanghebbende en/of Geaffekteerde Party

WYSIGING VAN DIE OMGEWINGSMAGTIGING UITGEREIK OP 11 AUGUSTUS 2014 VIR DIE OPRIGTING VAN DIE 132KV TRANSMISSIELYN LANGS DIE BESTAANDE ESKOM TRANSMISSIELYN, EN VERWANTE INFRASTRUKTUUR, VANAF LONGYUAN MULILO DE AAR 2 NOORD WINDENERGIE-AANLEG NA DIE HYDRA SUBSTASIE IN DE AAR, NOORD-KAAPPROVINSIE (DOS VERWYSINGSNR.: 14/12/16/3/3/1/1166/AM4)

Kennisgewing van die Wysiging (Korreksie) van die Omgewingsmagtiging

Die Departement van Omgewingsake (DOS) se wysigingsbesluit gedateer 15 Mei 2017, en ons korrespondensie van 30 Junie 2017 wat alle Geïntereseerde en Belanghebbende Partye (G&BPe) in kennis stel van die bogenoemde besluit, verwys.

Twee editoriale foute, verwant aan die naam van die houer van die Omgewingsmagtiging (OM) en die projek titel, was ingesluit in die OM wysigingsbesluit van 15 Mei 2017. Holland & Associates Omgewingskonsultante, names Longyuan Mulilo De Aar 2 Noord (Edms) Bpk, het DOS in kennis gestel van die bogenoemde foute op 6 Julie 2017, en versoek dat die foute reggestel word. Die doel van hierdie brief is om alle geregistreerde G&BPe in kennis te stel van DOS se besluit rakende Longyuan Mulilo De Aar2 Noord (Edms) BPK se versoek om die foute reg te stel in die wysigingsbesluit gedateer 15 Mei 2017.

Die riglyne vir die indiening van 'n appèl, soos uiteengesit in die Wet op Nasionale Omgewingsbestuur (NEMA) (Nr 107 van 1998) se Regulasies (2014), soos gewysig, vir Omgewingsinvloedbepalings (OIB), word ook hierby ingesluit indien 'n B&GP teen die DOS se besluit wil appelleer.

1. Besluit

Ons stel u hiermee in kennis dat die DOS, in terme van Regulasie 27(4) van die OIB-regulasies 2014, soos gewysig, en gegrond op 'n hersiening van die rede wat deur Longyuan Mulilo De Aar 2 Noord (Edms) Bpk aangevoer is vir die wysiging (korreksie) van bogenoemde Omgewingsmagtiging (OM) (naamlik die korreksie van die naam van die houer van die OM en die korreksie van die projek

titel in die OM wysigingsbrief gedateer 15 Mei 2017), **besluit het op 25 Augustus 2017 om die Omgewingsmagtiging (OM) gedateer 11 Augustus 2014**, as volg te verander:

1.1 Wysiging 1: Regstelling van tipografiese fout in die naam van die houer van die OM op bladsy 1 van die OM wysigingsbrief gedateer 15 Mei 2017:

Van:

“Longyuan Mulilo De Aar Noord (Edms) Bpk”

Na:

“Longyuan Mulilo De Aar 2 Noord (Edms) Bpk”

1.2 Wysiging 2: Regstelling van tipografiese fout in projek titel:

Van:

*“WYSIGING VAN DIE OMGEWINGSMAGTIGING UITGEREIK OP 11 AUGUSTUS 2014 VIR DIE **VOORGESTELDE** OPRIGTING VAN DIE 132KV TRANSMISSIELYN **KORRIDOR** LANGS DIE BESTAANDE ESKOM TRANSMISSIELYN VANAF LONGYUAN MULILO DE AAR 2 NOORD WINDENERGIE-AANLEG NA DIE HYDRA SUBSTASIE IN DE AAR IN DIE NOORD KAAP PROVINSIE”*

Na:

“WYSIGING VAN DIE OMGEWINGSMAGTIGING UITGEREIK OP 11 AUGUSTUS 2014 VIR DIE OPRIGTING VAN DIE 132KV TRANSMISSIELYN LANGS DIE BESTAANDE ESKOM TRANSMISSIELYN VANAF LONGYUAN MULILO DE AAR 2 NOORD WINDENERGIE-AANLEG NA DIE HYDRA SUBSTASIE IN DE AAR IN DIE NOORD KAAP PROVINSIE”

Die DOS se wysiging aan die OM, gedateer 25 Augustus 2017, word vir u inligting as Bylae A hierby ingesluit¹.

2. Reg tot appèl

Ons wil graag u aandag vestig op u reg om by die Minister van Omgewingsake teen hierdie besluit te appelleer. Dit sal geskied in terme van die Nasionale Appèlregulasies (Goewermments-kennisgewing Nr 993) van die NEMA se OIB-regulasies (2014), soos gewysig, waarin die appèlproses uiteengesit is.

Die persoon wat appelleer moet 'n appèl by die appèladministrateur indien en 'n afskrif daarvan aan die Applikant (Longyuan Mulilo De Aar 2 Noord (Edms) Bpk) stuur, asook aan elke geregistreerde Belanghebbende en Geaffekteerde Party (B&GP), en enige staatsinstansie wat 'n belang daarby

¹ Nota: die voorgestelde wysigingsbrief van die DOS gedateer 25 Augustus 2017 moet gelees word tesame met die OM gedateer 11 Augustus 2014. Afskrifte van die OM gedateer 11 Augustus 2014, en geassosieërde wysigings, is op versoek beskikbaar van Nicole Holland by Holland & Associates Omgewingskonsultante.

het. Dit moet ingedien word binne 20 dae vanaf die datum² waarop die kennisgewing van die besluit deur die Applikant aan die geregistreerde B&GPe gestuur is, of die datum³ waarop die kennisgewing van die besluit deur die bevoegde owerheid aan die applikant gestuur is, watter een ookal van toepassing is, tesame met 'n versoek vir kondonasië van 'n laat appèl, aan die Minister.

Appèlle moet skriftelik ingedien word by:

Mnr Z Hassam, Direkteur: Appèlle en Regsoorsig van die DOS, en wel by enige van die onderstaande adresse.

Per e-pos: appealsdirector@environment.gov.za;
Per pos: Privaatsak X447,
Pretoria,
0001; of
Per hand: Environment House
Steve Bikostraat 473,
Arcadia, Pretoria,
0083

Die voorgeskrewe appèlvorm, asook riglyne vir die indiening van 'n appèl, kan afgelaai word vanaf die DOS se webblad by http://www.environment.gov.za/documents/forms#legal_authorisations. Afskrifte van die dokumente kan ook verkry word deur 'n epos te stuur aan appealsdirector@environment.gov.za.

Tree asb met onderstaande in verbinding indien u enige verdere navrae het of inligting verlang.

Die uwe



NICOLE HOLLAND (Pr. Sci. Nat.)

Vir: Holland & Associates - Omgewingskonsultante

² Hierdie brief, wat namens die Applikant aan geregistreerde B&GPe gestuur is, dien as kennisgewing van die DOS se besluit, en is op 8 September gepos.

³ 29 Augustus 2017

**ANNEXURE A:
DEPARTMENT OF ENVIRONMENTAL AFFAIRS' AMENDMENT OF ENVIRONMENTAL
AUTHORISATION – 25 AUGUST 2017**

**BYLAE A:
DEPARTEMENT VAN OMGEWINGSAKE SE WYSIGING VAN DIE OMGEWINGSMAGTIGING –
25 AUGUSTUS 2017**



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/1/1166/AM4

Enquiries: Ms Dakalo Netshiombo

Telephone: (012) 399 8877 **E-mail:** DNetshiombo@environment.gov.za

Ms Debbie Harding
Eskom Holdings SOC Limited
P. O. Box 606
KIMBERLEY
8301

Telephone no: (053) 830 5774
Email: HardinD@eskom.co.za

PER EMAIL / MAIL

Dear Ms Harding

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE CONSTRUCTION OF A 132kV TRANSMISSION POWER LINE ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY FACILITY TO THE HYDRA SUBSTATION IN DE AAR IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 11 August 2014 and your letter dated 24 July 2017 requesting to amend the typographical errors on the EA amendment dated 15 May 2017 as received by this Department on 24 July 2017 refer.

This Department, in terms of Regulation 27(4) of the Environmental Impact Assessment Regulations, 2014, as amended has decided to amend the errors on the EA amendment letter dated 15 May 2017 as follows:

Amendment number 1: the typographical error on page 1 of the EA amendment dated 15 May 2017 is amended:

From:

Longyuan Mulilo De Aar North (Pty) Ltd

To:

Longyuan Mulilo De Aar 2 North (Pty) Ltd

MS

Amendment number 2: the typographical error on the project title is amended:

From:

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE **PROPOSED** CONSTRUCTION OF A 132KV TRANSMISSION POWER LINE **CORRIDOR** ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY FACILITY TO THE HYDRA SUBSTATION IN DE AAR IN THE NORTHERN CAPE PROVINCE

To:

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE CONSTRUCTION OF A 132KV TRANSMISSION POWER LINE ADJACENT TO THE EXISTING ESKOM TRANSMISSION POWER LINE FROM LONGYUAN MULILO DE AAR 2 NORTH WIND ENERGY FACILITY TO THE HYDRA SUBSTATION IN DE AAR IN THE NORTHERN CAPE PROVINCE

Reasons for amendment:

The amendment intends to rectify errors in the EA amendment dated 15 May 2017, which would not result in the change of the rights and duties of any person materially.

This letter must be read in conjunction with the EA date 11 August 2014.

Yours faithfully



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

Date: 25/02/2017

cc:	Mrs K Low	Longyuan Mulilo De Aar 2 North (Pty) Ltd	Tel: (021) 685 3240	Email: karen@mulilo.com
	Mr N Holland	Holland & Associates Environmental Consultants	Tel: (083) 4645246	Email: nicole@hollandandassociates.net