



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 12/12/20/1782/3/AM5

Enquiries: Mr Lunga Dlova

Telephone: (012) 399 8524 E-mail: [LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)

Mr Eugene Marais  
South Africa Mainstream Renewable Power Developments (Pty) Ltd  
PO Box 45063  
**CLAREMONT**  
7735

Telephone Number: (021) 657 4052  
Cellphone Number: (073) 871 5781  
Email Address: [Eugene.Marais@mainstreamrp.com](mailto:Eugene.Marais@mainstreamrp.com)

### PER EMAIL / MAIL

Dear Mr Marais

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 10 NOVEMBER 2016 FOR THE PROPOSED 140MW SUTHERLAND 2 WIND ENERGY FACILITY NEAR SUTHERLAND, NORTHERN AND WESTERN CAPE PROVINCES**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 10 November 2016, the amendments to the EA dated 25 November 2016, 25 August 2017, 10 March 2020 and 08 June 2020, your application for amendment of the EA received by the Department on 06 July 2021 and the acknowledgement letter dated 09 July 2021, 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 Regulations, 2014 as amended, has decided to amend the EA dated 10 November 2016 as amended, as follows:

#### **Amendment 1: Extension of the validity period of the EA:**

The validity period of your authorisation is extended by an additional five (5) years from the date of expiry of the EA issued on 10 November 2016 (i.e. the EA validity period was until 10 November 2021). Therefore the validity period is extended to **10 November 2026** and if commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order to undertake the activities.

#### **Reason for the extension of the validity of the EA:**

The proposed project has not yet been selected as a preferred bidder as part of the Department of Mineral Resources and Energy (DMRE) (previously the Department of Energy) Renewable Energy Independent Power Producer Procurement (REIPPP) Programme. The project is intended to be bid into future rounds of the DMRE REIPPP programme, i.e. Bid Window 5 with a bid submission date of 16 August 2021. A valid environmental authorisation will be required for future project development and bid submission purposes. Therefore, the validity of the Environmental Authorisation is required to be extended.

**Amendment 2: Change to the Company/Trading Name:**

The Environmental Authorisation for the 140MW Sutherland 2 Wind Energy Facility has been issued to South Africa Mainstream Renewable Power Developments (Pty) Ltd, the applicant intends to substitute the Company/Trading Name to a Special Purpose Vehicle (SPV) name throughout the Environmental Authorisation as follows:

**From:**

*"South Africa Mainstream Renewable Power Developments (Pty) Ltd"*

**To:**

*"Sutherland 2 Wind Farm (Pty) Ltd"*

**Reason for the amendment:**

The project is intended to be bid into DMRE REIPPP programme, i.e. Bid Window 5 and will be submitted as per the Company/Trading Name, Sutherland 2 Wind Farm (Pty) Ltd. The project will be bid as per the Special Purpose Vehicle (SPV) name.

Kindly note that this is the last extension, and no further extension of this EA will be accepted in future. The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. As such, failure to commence with construction activities on or before 10 November 2026 will result in the exhaustion of the maximum 10 year period, which is standard for the Department in terms of validity periods for all EAs. Should you not commence with the authorised listed activities within the above stipulated period, your EA will be deemed to have lapsed and a new application for Environmental Authorisation will have to be lodged.

This proposed amendment letter must be read in conjunction with the EA dated 10 November 2016 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 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](mailto:appeals@environment.gov.za);

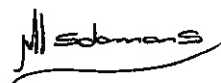
By hand: Environment House  
473 Steve Biko,  
Arcadia,  
Pretoria,  
0083; or

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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



**Ms Millicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**

**Date:** 21/01/2021.

cc:	Arlene Singh	Nala Environmental (Pty) Ltd	E-mail: <a href="mailto:arlene@veersgroup.com">arlene@veersgroup.com</a>
	Mr Allistar Gibbons	Karoo Hoogland Local Municipality (Sutherland Office)	Email: <a href="mailto:a.gibbons@karoohogland.gov.za">a.gibbons@karoohogland.gov.za</a>
	Mr Zaahir Toefy	WC: Department of Environmental Affairs and Development Planning (DEADP)	Email: <a href="mailto:Zaahir.Toefy@westerncape.gov.za">Zaahir.Toefy@westerncape.gov.za</a>
	J. Venter	Laingsburg Local Municipality	Email: <a href="mailto:jventer@laingsburg.gov.za">jventer@laingsburg.gov.za</a>



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Ms. Solomons  
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE  
PERIOD 12 JULY 2021 UNTIL 23 JULY 2021.**

This serves to confirm your appointment as Acting Chief Director: integrated environmental authorisations, from 12 July 2021 until 23 July 2021, whilst Mr Sabelo Malaza is on Annual Leave.

You will act in this capacity with the full responsibilities and duties attached to the post, including the activities entrusted to the Acting Chief Director: integrated environmental authorisations by or in terms of the Acts administered by the Department.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours Sincerely

Devnagie Bendeman

Acting Deputy Director-General: RSCM (Regulatory Compliance and  
Sector Monitoring)

Date: 9/07/2021



**ACKNOWLEDGEMENT**

I ACCEPT / DO NOT ACCEPT  
appointment as Acting Chief  
Director: integrated environmental  
authorizations

Signed:

Date: 12/07/2021