



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: 12/12/20/2321/2/1/AM1

Enquiries: Mr Wayne Hector

Telephone: (012) 399 9410 E-mail: WHector@dffe.gov.za

Mr Eugene Marais
South Africa Mainstream Renewable Power Loeriesfontein 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Tel: (021) 657 4052

Cell: (073) 871 5781

Email: eugene.marais@mainstreamrp.com

PER E-MAIL / MAIL

Dear Mr Marais

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 21 MAY 2021 FOR THE 100MW LOERIESFONTEIN 3 PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY (SEF), 33/132KV IPP PORTION OF THE SHARED ONSITE SUBSTATION (INCLUDING THE TRANSFORMER) AND ASSOCIATED INFRASTRUCTURE, NEAR LOERIESFONTEIN, NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) for the above-mentioned project dated 21 May 2021, the application for amendment of the EA received on 26 October 2022, the acknowledgement letter dated 07 November 2022 and the draft Motivation Report received by the Department on 24 January 2023 refers. The Department commented on the draft on 22 February 2023 and the final Motivation Report was received by the Department on 27 February 2023.

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 21 May 2021 as amended, as follows:

Amendment 1: Extension of the validity of the EA by additional five (5) years

From:

"7. This activity must commence within a period of ten (10) years from the date of the first issue of the Environmental Authorisation (i.e. the EA lapses on 29 October 2022). 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 for the activity to be undertaken."

To:

"7. This activity must commence within a period of fifteen (15) years from the date of the first issue of the Environmental Authorisation (i.e. the EA lapses on 29 October 2027). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made for the activity to be undertaken."

Reason for amendment:

The application is for extending the validity of the EA beyond ten (10) years by an additional five (5) years as the proposed project has not previously obtained funding.

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 the initial EA, hence the EMPr must be amended to include the additional mitigation measures as recommended and dictated by the various Comparative Assessment Statements submitted in the final Motivation Report dated February 2023. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved, the EMPr must be implemented and adhered to.

All recommendations included in the updated specialist studies must be implemented and adhered to.

This proposed amendment letter must be read in conjunction with the EA dated 21 May 2021, 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 fourteen (14) 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@dffe.gov.za

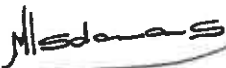
By hand: Environment House
473 Steve Biko Road
Arcadia
PRETORIA
0083; or

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 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.dffe.gov.za/documents/forms#legal> authorisations or request a copy of the documents at appeals@dffe.gov.za

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: National Integrated Authorisations
Department of Forestry, Fisheries & the Environment
Date: 28/03/2023.

cc:	Arlene Singh	Nala Environmental (Pty) Ltd	E-mail: arlene@veersgroup.com
	Thulani Mthombeni	Northern Cape: DAEARD&LR	E-mail: Tmthombeni013@gmail.com
	Samantha Tatas-Titus	Hantam Local Municipality	E-mail: stitus@hantam.gov.za



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Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dfre.gov.za

Ms. Milicent Solomons
Director: Priority Infrastructure Projects

Dear Ms. Solomons

APPOINTMENT AS CHIEF DIRECTOR: INTERGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 01 MARCH UNTIL 31 MARCH 2023

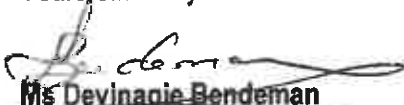
I hereby inform you that I have decided to appoint you as Acting Chief Director: Intergrated Environmental Authorisations from 01 March until 31 March 2023.

All correspondence and other documents that are usually signed by the Chief Director: Intergrated Environmental Authorisations during must be signed under Acting Chief Director: Intergrated Environmental Authorisations during the above-mentioned period.

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 1998), 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


Ms. Devinagie Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring


Date: 22 February 2023



Batho pele- putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief Director:
Intergrated Environmental Authorisations
Signed: 

Date: 27/02/2023