



# 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: 14/12/16/3/3/1/1870/AM2

Enquiries: Mr Wayne Hector

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Mr Eugene Marais  
!Xha Boom Wind Farm (Pty) Ltd  
PO Box 45063  
**CLAREMONT**  
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Tel number: (021) 657 4052  
Email address: [eugene.marais@mainstreamrp.com](mailto:eugene.marais@mainstreamrp.com)

## PER EMAIL / MAIL

Dear Mr. Marais

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JUNE 2018 FOR THE !XHA BOOM ON-SITE ESKOM SUBSTATION, LINKING SUBSTATION AND ASSOCIATED 132KV POWERLINE NEAR LOERIESFONTEIN WITHIN HANTAM LOCAL MUNICIPALITIES, NORTHERN CAPE PROVINCE.**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 27 June 2018, the first amendment issued on 26 July 2021, your application for amendment of the EA received by the Department on 03 May 2023 and the acknowledgement letter dated 08 May 2023, 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 27 June 2018, as amended, as follows:

#### **Amendment 1: Extension of Validity Period of EA**

The activity must commence within a period of **five (5) years** from the expiry date of the EA dated 27 June 2018, which would have lapsed on 27 June 2023. The EA is now extended by additional **five (5) years** which lapses on **27 June 2028**. 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.

#### **Reasons for the above-mentioned amendments:**

The extension is required to ensure that the EA does not lapse and prevent the construction of the authorised !Xha Boom WEF (authorised as part of standalone EA). The extension of validity period of EA will provide sufficient time for the IPP to obtain funding and for construction of the WEF and associated grid connection. The WEF project is strategically important for South Africa (in terms of electricity generation) and will result in positive socio-economic impacts. An extension to the validity period will ensure that the EA remains valid for the undertaking of the authorised activities.

This proposed amendment letter must be read in conjunction with the EA dated 27 June 2018, as amended.

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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 stipulates 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 abuses or compromises 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 prescribe 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@dfpe.gov.za](mailto:appeals@dfpe.gov.za)

By hand: Environment House  
473 Steve Biko Road  
**ARCADIA**  
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%20authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries & the Environment**

Date *11/05/2023*

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*MS*