



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: 14/12/16/3/3/2/717/AM1

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAlbertsi@environment.gov.za

Mr Eugene Marais
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
Claremont
CAPE TOWN
7735

Telephone Number: (021) 657 4052
Email Address: Eugene.Marais@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Marais

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 06 JUNE 2016 FOR THE CONSTRUCTION AND OPERATION OF THE 75 MEGAWATTS (MW) EKSTEEN PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY AND ITS SUPPORTING ELECTRICAL INFRASTRUCTURE PROPOSED BY SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD NEAR DEALESVILLE IN THE FREE STATE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 06 June 2016, your application for amendment of the EA received by the Department on 16 April 2021 and the acknowledgement letter dated 29 April 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 06 June 2016 as follows:

Amendment 1: Amendment to the details of the contact person :

The contact details on page 02 of the EA:

Mr Michael Mangnall
PO Box 45063
Claremont
7753

Telephone number: (021) 657 4058
E-mail: mike.mangall@mainstreamrp.com

MS

Is hereby amended to:

Mr Eugene Marais
PO Box 45063
Claremont
CAPE TOWN
7753

Telephone number: (021) 657 4052
E-mail: Eugene.Marais@mainstreamrp.com

The details of the contact person on the Environmental Authorisation must be updated to reflect the details of Mr Eugene Marais.

Amendment 2: Amendment to the validity period:

Condition 07 on page 10 of the EA:

"This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. 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."

Is hereby amended to:

"This activity must commence within a period of ten (10) years from the date of issue of the environmental authorisation. 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."

The key motivating factor for the request to amend the validity period, is to ensure that the Applicant has a project that is compliant with the requirements of the Department of Mineral Resources and Energy ("DMRE") Renewable Energy Independent Power Producer Procurement ("REIPPP") Programme.

Further to the above, 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. Failure to commence with construction activities within the maximum 10 year 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 06 June 2016.

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 decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the 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@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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 17/05/2021

cc:	Abulele Adams	CSIR	E-mail: aadams1@csir.co.za
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