



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: 14/12/16/3/3/2/728/AM1

Enquiries: Mr Jay-Jay Mpelane

Telephone: (012) 399 9404, **E-mail:** Jmpelane@environment.gov.za

Mr Eugene Marais
South Africa Mainstream Renewable Power Developments (Pty) Ltd
P.O 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 6 JUNE 2016 FOR THE CONSTRUCTION AND OPERATION OF THE 100 MEGAWATTS (MW) LELIEHOEK PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY AND ITS SUPPORTING ELECTRICAL INFRASTRUCTURE NEAR DEALESVILLE IN THE FREE STATE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 6 June 2016, and your application for amendment of the EA received by the Department on 16 April 2021 and the acknowledgement letter dated 20 April 2021, refer.

Based on a review of the reasons for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 6 June 2016 as amended, as follows:

Amendment 1: extension of the validity period of the EA

- i. The activity must commence within a period of five (05) years from the expiry date of the EA issued on 6 June 2016, which lapses 6 June 2021, now extended by an additional five (05) years which lapses on 6 June 2026. 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.
- ii. This correspondence is only for the extension of the validity period as stated herein above and all conditions set out in the Environmental Authorisation dated 6 June 2016 remain unchanged and must be adhered to.

Amendment 2: change of contact person

From:

Mr Michael Mangnall
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
Claremont
CAPE TOWN

NS

7735

Telephone Number: (021) 657 4058

Email Address: mike.mangnall@maintreamrp.com

To:

Mr Eugene Marais

South Africa Mainstream Renewable Power Developments (Pty) Ltd

PO Box 45063

Claremont

CAPE TOWN

7735

Telephone Number: (021) 657 4052

Email: Eugene.Marais@mainstreamrp.com

Reasons for the abovementioned amendment:

The key motivating factor for the request to amend the Environmental Authorisation (EA) 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. Due to various reasons, outside of the Applicant's control, the planned announcements and roll-out of bidding rounds have not occurred as previously planned for. As a result, the REIPPP Programme has been delayed, resulting in the project not yet being selected as a preferred bidder, further requiring the need for the EA validity period to be extended. The contact person of the Environmental Authorisation (EA) has changed and the EA needed to be updated to reflect the new contact person which is Mr. Eugene Marais.

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 6 June 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 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.

DFFE Reference: 14/12/16/3/3/2/728/AM1

2

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 6 JUNE 2016 FOR THE CONSTRUCTION AND OPERATION OF THE 100 MEGAWATTS (MW) LELIEHOEK PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY AND ITS SUPPORTING ELECTRICAL INFRASTRUCTURE NEAR DEALESVILLE IN THE FREE STATE PROVINCE

M.S

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 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.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: 12/05/2021

cc:	Abulele Adams	Council for Scientific and Industrial Research (CSIR)	E-mail: aadams1@csir.co.za
	Monde Walaza	Free State Economic, Small Business Development, Tourism and Environmental Affairs	E-mail: jonasb@destea.fs.gov.za