



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: 14/12/16/3/3/1/738/AM5

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Mr Cesare Di Giacomo
Machadodorp1 PV Project (Pty) Ltd
PO Box 31666
BRAAMFONTEIN
2017

Telephone Number: (082) 901 1652
Email Address: spaziani.stefano@gmail.com / cdg@seraco.co.za

PER EMAIL / MAIL

Dear Mr Di Giacomo

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 21 MAY 2013 FOR THE PROPOSED 14MW MACHADODORP PV1 SOALR ENERGY FACILITY ON PORTION 8 OF THE FARM DE KROON NO. 363 JT IN THE EMAKHAZENI LOCAL MUNICIPALITY IN MPUMALANGA PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 21 May 2013, the first amendment of the EA issued by the Department on 20 May 2015, the second amendment of the EA issued by the Department on 16 May 2016, the third amendment of the EA issued by the Department on 14 May 2018, the fourth amendment of the EA issued by the Department on 08 June 2022, your application for amendment of the EA received by the Department on 18 May 2023, the acknowledgement thereof on 19 May 2023, the draft Amendment Motivation Report received by the Department on 17 July 2023, and the final Amendment Motivation Report, 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 **21 May 2013** as amended, as follows:

Amendment 1: Extension of the validity period on page 5 of the EA

Condition 7 of the EA dated 21 May 2013 is amended as follows:

*"7 This activity must commence within a period of twenty (20) years from the date of issue of the authorisation **(i.e., the EA lapses on 21 May 2033)**. 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 reason for the amendment is as follows:

The project is intended to be bid into future rounds of the Department of Mineral Resources and Energy's (DMRE's) Renewable Energy Independent Power Producers Procurement (REIPPP) Programme or a similar private offtake bid, the timing of which is unconfirmed at this time. A valid environmental authorisation will be

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required for future project development and bid submission purposes. Therefore, the validity of the Environmental Authorisation (EA) is required to be extended.

This proposed amendment letter must be read in conjunction with the EA dated 21 May 2013, 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@dffe.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@dfpe.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 20/09/2023

cc:		Ms. Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: joanne@savannahsa.com
		Mr. CN Chumba	Mpumalanga Department of Agriculture, Rural Development & Land Affairs	E-mail: nmbedu@mpg.gov.za
		Ms. Anza Nefale	Emakhazeni Local Municipality	E-mail: municipality@emakhazenilm.co.za

