



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: 14/12/16/3/3/2/1009/AM2

Enquiries: Miss Zamalanga langa

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Mr Richard Gordon
Business Venture Investments No. 2105 (Pty) Ltd
PO Box 23101
CLAREMONT
Cape Town
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Telephone Number: (021) 670 1408
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PER EMAIL / MAIL

Dear Mr Gordon

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 12 FEBRUARY 2018 AS AMENDED FOR THE KOKERBOOM 3 WIND ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON FARMS RE/213, 1/214 AND 2/214, NEAR LOERIESFONTEIN WITHIN THE HANTAM LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 12 February 2018, the amendment to the EA dated 07 November 2018, your application for amendment of the EA received by the Department on 07 June 2021 and the acknowledgement letter dated 18 June 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 12 February 2018 as amended, as follows:

Amendment 1: Amendment to the Holder of the EA:

"Business Venture Investments No. 1788 (Pty) Ltd":

Is hereby amended to:

"Business Venture Investments No. 2105 Proprietary Limited"

Reason for amendment:

The Kokerboom 3 Wind Energy Facility will be bid into the government's Renewable Energy Independent Power Producer Procurement Programme (REIPPPP). In accordance with the rules of REIPPPP and the requirement for lender financing, it is necessary to transfer the EA to a ring-fenced project company, or "Special Purpose

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Vehicle" (SPV). The current holder of the EA therefore requests that the EA be amended to cede the EA to the project SPV, Business Venture Investments No. 2105 (Pty) Ltd. This will enable the applicant to submit a compliant bid in REIPPPP and obtain lender funding should the project be successful

This proposed amendment letter must be read in conjunction with the EA dated 12 February 2018 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@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: 30/06/2024

cc:	Mr Charles Norman	Zutari (Pty) Ltd	E-mail: Charles.Norman@zutari.com
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