



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DEA Reference: 14/12/16/3/3/2/222/AM3

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Mr Matteo Brambilla
Boesmanland Solar Farm (Pty) Ltd
Postnet Suite 150
Private Bag X3
ROGGEBAAI
CAPE TOWN
8012

Telephone Number: (021) 418 3940
Email Address: m.michalowska@redrocket.energy

PER EMAIL / MAIL

Dear Mr Brambilla

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 16 JULY 2013 FOR THE BOESMANLAND SOLAR FARM PORTION 6 (A PORTION OF PORTION 2), FARM 62 ZUURWATER, AGGENEYS, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 16 July 2013, the amendments to the EA dated 22 February 2016 and 30 July 2018, your application for amendment of the EA received by the Department on 15 July 2020, and the acknowledgement letter dated 20 July 2020, 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 16 July 2013 as amended, as follows:

Amendment 1: Amendment to the contact details of the holder of the EA, on page 2 of the EA

From:

Mr Matteo Brambilla
Boesmanland Solar Farm (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
Cape Town
8012
Tel: (021) 418 3940
Email: p.fagnoli@buildingenergy.it

MS

To:

Mr Matteo Brambilla
Boesmanland Solar Farm (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
Cape Town
8012

Tel: 021 418 3940

Email: m.michalowska@redrocket.energy

The reason for the amendment is as follows:

Building Energy South Africa (Pty) Ltd, who is the indirect shareholder of Boesmanland Solar Farm (Pty) Ltd, has changed its name to Red Rocket South Africa (Pty) Ltd. As a result, an amendment to the email address of the contact person was required. This change does not affect the name or details of the Project Company (Boesmanland Solar Farm (Pty) Ltd).

Amendment 2: Amendment to the commencement period, on page 6 of the EA

The commencement period of the EA issued on 16 July 2013, which was due to expire on 16 July 2020, is hereby extended by an additional three years (03) years to 16 July 2023. Condition 7 of the EA dated 16 July 2013, is thus amended as follows:

"7. This activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the authorisation lapses on 16 July 2023). 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 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.

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) (previously the Department of Energy) Renewable Energy Independent Power Producer Procurement (REIPPP) Programme. A valid EA will be required for future project development and bid submission purposes, therefore the commencement period of the EA was required to be extended. The amendment will not lead to the occurrence of any negative environmental impacts, other than those already assessed in the Environmental Impact Assessment.

General

This amendment letter must be read in conjunction with the EA dated 16 July 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 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 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.

M.S

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 Environment, Forestry and Fisheries

Date: 12/08/2020

CC:	Ms Anga Yaphi	Northern Cape DENC	E-mail: ayaphi@upprov.ncape.gov.za
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