



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: 14/12/16/3/3/2/276/1/AM2

Enquiries: Ms Nyiko Nkosi

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Ms Lea Giroux
Graspan Solar Project (Pty) Ltd
Postnet Suite 307
Private Bag X18
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Telephone Number: (010) 612 0531
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PER EMAIL / MAIL

Dear Ms Giroux

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 02 NOVEMBER 2021, FOR THE CONSTRUCTION OF THE 90MW GRASPAN PHOTOVOLTAIC (PV) PLANT PHASE 1 ON THE REMAINING EXTENT OF THE FARM GRASPAN (FARM NO. 172) WITHIN THE SIYANCUMA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 02 November 2021, the EA amendment dated 18 January 2023, your application for amendment of the EA received by the Department on 28 April 2023, draft motivation report received on 20 June 2023, Department's comments dated 30 June 2023, the amended draft motivation report received on 03 August 2023 and Department's comments dated 25 August 2023, the final Motivation report received on 07 September 2023, 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 02 November 2021 as amended, as follows:

Amendment 1: Extension of the validity period of the EA by additional two (02) years

The commencement period of the EA issued on 02 November 2021, which was due to expire on 30 April 2023, is hereby extended by an additional two years (02) years to 30 April 2025.

Condition 7 of the EA dated 02 November 2021, is thus amended as follows:

"7. This activity must commence within a period of twelve (12) years from the date of issue of the original Environmental Authorisation issued on 30 April 2013 (i.e. the authorisation lapses on 30 April 2025). 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."

MS

The reason for the amendment is as follows:

The project has been granted a preferred bidder project under Round 5 of the REIPPPP in the Department of Mineral Resources and Energy Renewable Energy Power Producer Procurement Programme (REIPPPP). The Applicant is working towards Financial Close, but this has been delayed for various reasons beyond the control of the Applicant. It is anticipated that the construction will not commence before the EA validity expires. The applicant, Graspán Solar PV (Pty) Ltd, therefore requires the validity of the EA to be extended.

This amendment letter must be read in conjunction with the EA dated 02 November 2021 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@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@dffe.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries

Date: *02/10/2023*

CC:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: joanne@savannahsa.com
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