



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: 14/12/16/3/3/2/579/3/AM3

Enquiries: Ms Mathodi Mogorosi

Telephone: (012) 399 9388 E-mail: MMogorosi@environment.gov.za

Ms Karen Low
Juwi Renewable Energies (Pty) Ltd
20th Floor, The Halyard
4th Christiaan Barnard Street
Foreshore
CAPE TOWN
8001

Telephone Number: (021) 831 6131
Email Address: karen.low@juwi.co.za

PER EMAIL / MAIL

Dear Ms Low

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 11 AUGUST 2014 FOR THE CONSTRUCTION OF THE 75MW BOSJESMANSBERG PV SOUTH SOLAR ENERGY FACILITY SITUATED ON PORTION 1 OF THE FARM BOSJESMANSBERG 67, NEAR COPPERTON WITHIN SIYATHEMBA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 11 August 2014, the first amendment dated 08 August 2017, the second amendment dated 23 July 2018, your application for amendment of the EA received by the Department on 01 July 2021, and the acknowledgement letter dated 05 July 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 11 August 2014 as amended, as follows:

Amendment 1: Extension of validity period of the EA:

The validity period of the EA (which was due to expire on 11 August 2021) is hereby extended by an additional three (03) years to **11 August 2024**. As such, Condition 6 of the EA dated 11 August 2014 is amended as follows:

*"6. This activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. **the EA lapses 11 August 2024**). 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 EA holder intends to bid the Bosjesmansberg South PV project in one of the upcoming Renewable Energy Independent Power Producer Procurement (REIPPP) Programme bidding rounds. Bid Window 5 of the REIPPP is currently open with the bid submission date scheduled for 16 August 2021. In order to qualify as a compliant bid, the project must hold a valid EA. As such, an extension in the validity of the EA was required. Furthermore, should the EA holder be unsuccessful in Bid Window 5, then the project will be bid in subsequent bidding rounds, the dates of which have not been confirmed by the Department of Mineral Resources and Energy.

Amendment 2: Amendment to the contact person details on page 2 of the EA:

From:

Ms Nazley Towfie
Juwi Renewable Energies (Pty) Ltd
24th Floor, Metropolitan Centre
7 Walter Sisulu Avenue
Foreshore
CAPE TOWN
8001

Tel: (021) 831 6131
Cell: 078 019 9357
Email: nazley.towfie@juwi.co.za

To:

Ms Karen Low
Juwi Renewable Energies (Pty) Ltd
20th Floor, The Halyard
4 Christiaan Barnard Street
Foreshore
CAPE TOWN
8001

Telephone Number: (021) 831 6131
Cell: 084 454 9944
Email Address: karen.low@juwi.co.za

The reason for the amendment is as follows:

The responsible contact person indicated in the EA no longer works at Juwi Renewable Energies (Pty) Ltd. The EA therefore needed to be updated to provide the details of the new contact person for the holder of the EA.

Kindly note that your request to amend the listed activities as authorised in the EA dated 11 August 2014 in order to align them with the current listed activities in terms of the EIA Regulations, 2014, as amended, is refused and therefore not included in this amendment letter. The reason, as indicated in the Part 1 acknowledgement letter dated 05 July 2021, is that the EA and the authorised listed activities are still valid (as per Regulation 52 of the EIA Regulations, 2014, as amended), and as such there is no need for the listed activities as authorised in the EA dated 11 August 2014 to be amended.

General

This EA amendment letter must be read in conjunction with the EA dated 11 August 2014 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 decision, 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.

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



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 22/7/2021.

cc:	Patrick Killick	Zutari (Pty) Ltd	E-mail: patrick.killick@zutari.com
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Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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Ms. Solomons
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 12 JULY 2021 UNTIL 23 JULY 2021.

This serves to confirm your appointment as Acting Chief Director: integrated environmental authorisations, from 12 July 2021 until 23 July 2021, whilst Mr Sabelo Malaza is on Annual Leave.

You will act in this capacity with the full responsibilities and duties attached to the post, including the activities entrusted to the Acting Chief Director: integrated environmental authorisations by or in terms of the Acts administered by the Department.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours Sincerely

Devinagie Bandeman

Acting Deputy Director-General: RCSM (Regulatory Compliance and Sector Monitoring)

Date: 9/07/2021



ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief
Director: integrated environmental
authorizations

Signed:

Date: 12/07/2021