



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 12/12/20/2024/1/1/AM6

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PER EMAIL / MAIL

Dear Mr Johnson

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 14 SEPTEMBER 2012 FOR THE CONSTRUCTION OF A 75 MW DROOGFONTEIN 2 PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 NEAR KIMBERLEY WITHIN THE SOL PLAATJIE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 14 September 2012, the amendments to the EA dated 02 January 2013, 28 July 2015, 30 September 2015 and 23 November 2016 respectively and your application for amendment of the EA received by this Department on 02 August 2017 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 14 September 2012 as amended, as follows:

Amendment 1: Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 14 September 2012 as amended (i.e. the EA lapses on 14 September 2019). 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 applicant applied to extend the validity period of the EA for a second time as the above-mentioned project has been bid into the DoE REIPPPP and has not been awarded preferred bidder status, hence the construction of the facility cannot commence.

This proposed amendment letter must be read in conjunction with the EA dated 14 September 2012 as amended.

MS

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

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:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@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, 1998, 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 appealsdirector@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 29/08/2017

cc: Mr Andrea Gibb	Sivest SA (Pty) Ltd	Email: andreag@sivest.co.za
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