



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/2316/AM4

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 **E-mail:** MEssop@environment.gov.za

Mr Terence Govender
ACWA Power SolarReserve Redstone Solar Thermal Power Plant
Sinosteel Plaza, Office L- 11C
159 Rivonia Road
SANDTON
2191

Telephone number: (011) 582 6880
Email Address: Terence.govender@solarreserve.com

PER EMAIL / MAIL

Dear Mr Govender

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 06 AUGUST 2012 FOR THE CONSTRUCTION OF THE HUMANSRUS CONCENTRATED SOLAR POWER FACILITY ON THE REMAINING PORTION OF THE FARM NO. 469, HAY RD IN THE TSANTSBANE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE – PARTIAL APPROVAL

The Environmental Authorisation (EA) issued for the above application by this Department on 06 August 2012 and your application for amendment to the EA received by this Department on 11 February 2015 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, has decided to amend the EA dated, 06 August 2012 as amended as follows:

Amendment 1: Amendment to the contact details of the holder of the EA:

“Redstone Solar Thermal Power Plant”

Represented by: Mr Terence Govender
Sinosteel Plaza, Office L- 11C
159 Rivonia Road
SANDTON
2191

Telephone Number: (083) 449 0433
Fax Number: (011) 784 7549
Email Address: Terence.govender@solarreserve.com

Is hereby amended to:

“ACWA Power SolarReserve Redstone Solar Thermal Power Plant”

Represented by: Mr Terence Govender
Sinosteel Plaza, Office L- 11C
159 Rivonia Road
SANDTON
2191

Telephone Number: (011) 582 6880
Fax Number: (086) 645 4229
Cell phone Number: (083) 499 0433
Email Address: Terence.govender@solarreserve.com

Amendment 2: Addition of Listed Activity into the EA:

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Regulation 30(2) of the Environmental Impact Assessment Regulations, 2014, has decided **not to grant** the second request to amend the EA dated 06 August 2012 as amended. The reasons for the decision are provided below:

Following a review of the application for amendment to the EA dated 10 February 2015 and the supporting motivation provided, this Department is of the view that the amendment process cannot be followed to include the specific activity that were not assessed and applied for in the Environmental Impact Assessment process.

This Department did receive an amended application form and both the amended application form and the Final Environmental Impact Assessment Report (prepared by WorleyParsons Recourses & Energy and dated January 2012) did not include Activity 18 of GNR 544. As such, this Department is of the opinion that the activity in question was not applied for. In addition, this Department does not support the motivation in the application for amendment for the abovementioned request for amendment to include Activity 18 of GNR 544 as a precautionary measure. In view of the above, this Department will not grant your request for amendment 2.

Based on the above, this Department advises that the applicant submits a new application for Environmental Authorisation. Please note that the Department of Environmental Affairs will not be the competent authority and the application must be lodged with the respective provincial Department. However, a request for delegation for the Department of Environmental Affairs to process the application can be requested from the respective provincial Department. It must be further noted that no infilling or excavation is allowed in the riparian habitat without Environmental Authorisation if required.

This proposed amendment letter must be read in conjunction with the EA dated 06 August 2012 as amended.

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.

An appellant must submit an 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 applicant by the competent authority.

By post: Private Bag X447,
Pretoria,
0001; or

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083

Appeals must be submitted in writing to:

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: Appealsdirector@environment.gov.za

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website: (https://www.environment.gov.za/documents/forms#legal_authorisations).

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 27/03/2015