



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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**NEAS Reference:** DEA/EIA/UP\_DG/0000017/2012  
**DEA Reference:** 14/12/16/3/3/2/249 (12/12/20/2645)

**Enquiries:** Ms Sindiswa Dlomo

**Telephone:** 012-395-1856 **Fax:** 012-320-7539 **E-mail:** Sdlomo@environment.gov.za

Mr Charles Berrington  
Greefspan PV Power Plant No.2 (Pty) Ltd  
Level D, The Adderley,  
25 Adderley St  
**CAPE TOWN**  
8001

Fax no: 021 462 5400

### **PER FACSIMILE / MAIL**

Dear Mr Berrington

### **AMENDMENT OF ENVIRONMENTAL AUTHORISATION: OF THE PROPOSED 55MW GREEFSPAN PV POWER PLANT 2 AND ASSOCIATED INFRASTRUCTURE, SITUATED ON FARM DE RUST, A PART OF THE REMAINDER OF PTN 1 OF THE FARM, KWARTELSPAN NO 25, DISTRICT HOPETOWN, PIXLEY KA SEME DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCES, NORTHERN CAPE PROVINCE**

The Department's decision on the above application issued on 06 September 2012 and your correspondence received by this department on 10 October 2012, the department's response dated 12 November 2012 and your recent correspondence dated 09 January 2013 refers.

Based on a review of the reason for requesting an amendment to the above authorisation, the Department, in terms of regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the environmental authorisation (EA) dated 06 September 2012 as follows:

The project description for the environmental authorisation:

#### **From:**

"for the Proposed 40MW Greefspan PV power station and associated infrastructure, Douglas, Northern Cape Province, hereafter referred to as "the property".

The development will have a footprint of approximately 100ha and the associated infrastructure associated with this facility includes:

- Lighting protection systems, including masts of up to 25m;
- Any equipment and upgrades or expansions required to the substation;
- Internal service roads (5m) and where required an access road;

- Small administrative, control and security buildings (300-400m<sup>2</sup>);
- Ablution facilities;
- Workshops, storerooms and laydown areas;
- Perimeter fencing and security systems 10m from nearest PV modules;
- Area lighting (movement activated); and
- Small parking area;
- Less than 200m of evacuation line of 33Kv-132Kv; and
- Internal reticulation approximately 500mm below ground

**To:**

"for the Proposed construction of 55MW Greefspan PV Power Plant 2 and associated infrastructure, Situated on a part of the Remainder of Ptn 1 of the Farm, Kwartelspan No 25, District Hopetown, Pixley Ka Seme District Municipality, Northern Cape Province, hereafter referred to as "the property".

The development will have a footprint of approximately 160ha and the associated infrastructure associated with this facility includes:

- Lighting protection systems , including masts of up to 25m;
- Any equipment and upgrades or expansions required to the substation;
- Internal service roads (5m) and where required an access road;
- Small administrative, control and security buildings (300-400m<sup>2</sup>);
- Ablution facilities;
- Workshops, storerooms and laydown areas;
- Perimeter fencing and security systems 10m from nearest PV modules;
- Area lighting (movement activated); and
- Small parking area;
- Less than 200m of evacuation line of 33Kv-132Kv; and
- Internal reticulation approximately 500mm below ground

The holder/ownership of the EA has been amended and transferred:

**From:**

Dr Tamuka Kaseke  
**EA-AMD RENEWABLE ENERGY (PTY) LTD**  
 Level D, The Adderley,  
 25 Adderley St  
**CAPE TOWN**  
 8001

Tel: 021 461 3382  
 Fax: 021 461 2128  
 Cell: 083-302-9870  
 E-mail: [Tameka@alt-e.co.za](mailto:Tameka@alt-e.co.za)



**To the following SPV, together with all rights and responsibilities:**

Mr Charles Berrington  
**GREEFSpan PV POWER PLANT NO 2 (PTY) LTD**  
Level D, The Adderley,  
25 Adderley St  
**CAPE TOWN**  
8001

Tel: 021 461 3382  
Cell: 082 440 4057  
Fax: 021 462 5400  
E-mail: [Charlie@ae-amd.co.za](mailto:Charlie@ae-amd.co.za)

This letter must be read in conjunction with the EA dated 06 September 2012.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) 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 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the amendment decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By facsimile: 012 320 7561;  
By post: Private Bag X447,  
Pretoria, 0001; or  
By hand: 2nd Floor, Fedsure Building, North Tower,  
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,  
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

**Appeals must be submitted in writing to:**

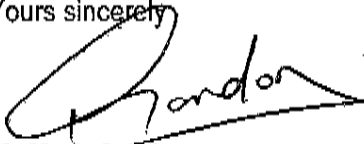
Mr T Zwane, Senior Legal Administration Officer (Appeals), of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929  
Email: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)



The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



**Mr Mark Gordon**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Date: 12 March 2013**

CC:	Ms E Van Zyl	Van Zyl Environmental Consultant cc	Tel: 054-338-0722	Fax: 086-624-0306
	Mr D. Moleko	Northern Cape Dept. of Environment and Nature Conservation	Tel: 053-807-7430	Fax: 053-831-3530
	Mr M. Jack	Pixley Ka Seme District Municipality	Tel: 053-631-0891	Fax: 053-631-2529
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561
	Mr S Malaza	Compliance Monitoring (DEA)	Tel: 012-310-3397	Fax: 012-320-5744

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R.543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)**

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> <li>• a notice indicating where and for what period the appeal submission will be available for inspection.</li> </ul>	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> <li>• a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.</li> </ul>
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

**NOTES:**

1. **An appeal against a decision must be lodged with:-**
  - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
  
2. **An appeal lodged with:-**
  - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
  
3. **An appeal must be:-**
  - a) submitted in writing;
  - b) accompanied by:
    - a statement setting out the grounds of appeal;
    - supporting documentation which is referred to in the appeal; and
    - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.