

Your reference:

Our reference: 10273

Date: 09 January 2013

Dear Interested and Affected Party (I&AP),

AMENDED ENVIRONMENTAL AUTHORISATION ISSUED: ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) FOR THE PROPOSED CONSTRUCTION OF A 75MW PHOTOVOLTAIC (PV) FACILITIES ON PORTION 1 OF THE FARM DROOGFONTEIN NO 62. IN KIMBERLEY, NORTHERN CAPE

- Droogfontein 2: DEA Ref no.: 12/12/20/2024/1A and NEAS Ref No: DEA/EAI/AMEND/000022/2012

We would like to inform you that the Final Environmental Impact Reports (FEIRs) for the above mentioned proposed project were submitted to the Department of Environmental Affairs (DEA) for consideration.

After reviewing the documentation the DEA, issued Environmental Authorisation, in terms of the National Environmental Management Act (NEMA, 107 of 1998) and Environmental Impact Assessment (EIA) Regulations, 2010, for the construction a 75 MW Photovoltaic (PV) plant on the farm Droogfontein in Kimberley, Sol Plaatje Local Municipality, Northern Cape Province

An amended Environmental Authorisation was received by SIVEST on 02 January 2013. The DEA is satisfied, on the basis of the information provided and subject to compliance with the conditions of the environmental authorisations, that the applicant should be authorised to undertake the activities below:

Listing Notice	Activity
GN R. 544	22
GN R. 545	1
GN R. 545	15

The reasons given are as follows – but not limited to:

- The identification of impacts are detailed in the motivation for amendment report and sufficient assessment of the key identified issues and impacts have been completed;
- The procedure followed for impact assessment is adequate;
- All legal ad procedural requirement were met;
- Information contained in the motivation for amendment is accurate and credible
- EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the amendment report and will be implemented to manage the identified environmental impacts during the construction phase.

Should the applicant or any party, wish to appeal any aspect of the 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 Environmental Authorisations, by means of the following methods:

By facsimile: 012 320 7561

Or

By Post: Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Or

By Hand 2nd Floor, Fedsure Forum Building, North Tower
Corner Lilian Ngoyi (Van der Walt) and Pretorius Streets
Pretoria

Appeals must be submitted in writing to:

Mr T Zwane, Senior Legal Administration Officer (Appeals) of the DEA at the above address.

Tel: 012 310 3929

E-mail: twane@environment.gov.za

Please note that appeals should not be sent to SiVEST or the Applicant.

For further information or to obtain a copy of the amended Environmental Authorisation, please contact SiVEST as follows:

SiVEST Environmental: Rebecca Thomas

Tel: (011) 798 0634

Fax: (011) 803 7272

Email: rebeccat@sivest.co.za

The amended Environmental Authorisations are also available on the SiVEST website (www.sivest.co.za).

Please refer to the appeal procedure attached herewith for the details pertaining to the appeal process.

We would like to thank you for participating in the Environmental Impact Assessment (EIA) process and being part of the public participation process during the EIA for this proposed project. Your participation has been valuable and highly appreciated and was a key factor in assisting the preparation of informed Environmental Authorisations.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nicolene".

Nicolene Venter
STAKEHOLDER ENGAGEMENT PRACTITIONER

Documents Included: Appeal Procedure

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

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive notice of Environmental Authorisation (EA) from the relevant Competent Authority (CA) (the DEA).	1. Receive notice of EA from Applicant/ Consultant.
2. Within 12 days of date of the EA, notify all I&APs 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 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 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 I&AP 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 each I&AP: <ul style="list-style-type: none"> • A notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve the Applicant within 10 days of lodging the notice: <ul style="list-style-type: none"> • A notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted to the Minister within 30 days after the lapsing of the 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 20 days provided for the lodging of the notice of intention to appeal.
7. Any I&AP who received notice of an 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 appeal 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.