



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA

DEA Reference: 12/12/20/2430/AM3

Enquiries: Ms Azrah Essop

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Mr Werner Engelbrecht
Biotherm Energy (Pty) Ltd
PO Box 69408
BRYANSTON
2021

Tel: (011) 367 4600
Email: wengelbrecht@biothermenergy.com

PER EMAIL / MAIL

Dear Mr Engelbrecht

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MARCH 2013 FOR THE CONSTRUCTION OF THE 100 MW ARIES II PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY ON PORTION 1 OF THE FARM KLEIN ZWART BAST 188, NEAR KENHARDT WITHIN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above application dated 28 March 2013, the amendments to the EA dated 15 August 2013 and 26 January 2016, your application for the amendment of the EA received 18 January 2018 and acknowledged on 26 January 2018, 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 28 March 2013 read with the amended EA dated 26 January 2016 as follows:

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

The activity must commence within a period of three (3) years from the date of expiry of the Amendment to the EA issued on 26 January 2016, read with the EA issued on 28 March 2013 (i.e. the EA lapses on 28 March 2021). 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.

This letter must be read in conjunction with the EA dated 28 March 2013 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 EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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 twenty (20) days from the date that the notification of the

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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 02/02/2018