



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: 12/12/20/2632/AM5

Enquiries: Ms Matlhodi Mogorosi

Telephone: (012) 399 9388 E-mail: mmogorosi@environment.gov.za

Ms Jasandra Nyker
Orlight SA (Pty) Ltd
PO Box 69408
BRYANSTON
2021

Telephone Number: 011 367 4600
Email Address: eiaadmin@biothermenergy.com

PER MAIL / EMAIL

Dear Ms Nyker

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MARCH 2013 FOR THE CONSTRUCTION OF THE ORLIGHT SA (PTY) LTD 70MW PHOTOVOLTAIC (PV) SOLAR POWER PLANT NEAR LOERIESFONTEIN, WITHIN THE HANTAM LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 28 March 2013, the fourth EA amendment (12/12/20/2632/AM4) dated 26 January 2016 to extend the validity period of the EA by an additional two (02) years, and your application for amendment of the EA received by this Department on 18 January 2018, refer.

Based on a review of the reason for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended, has decided to grant an extension of the validity period of the EA issued on 28 March 2013 (which was previously extended by an additional two (02) years to expire on 28 March 2018), by an additional three (3) years to **28 March 2021**.

Condition 6 of the EA dated 28 March 2013 is thus amended as follows:

"6. This activity must commence within a period of eight (8) years from the date of issue of this authorisation (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."

The reason for the amendment is as follows:

The holder of the authorisation, Orlight SA (Pty) Ltd, applied to extend the validity period of the EA by an additional two years. The project constitutes a PV Solar Energy Facility and was bid as part of the Expedited Window as part of the Department of Energy's Renewable Energy Independent Power Producer Procurement Programme (REIPPPP). The results of the Expedited Window have not been announced by the Department of Energy. As the timing of the announcement is currently not known as a result of the delays to the REIPPPP, the validity of the EA therefore needs to be extended for the project to remain current.

M.S

This letter must be read in conjunction with the EA dated 28 March 2013 and the EA amendments dated 08 July 2014, 28 November 2014, 04 September 2015 and 26 January 2016 respectively.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the EIA Regulations, 2014), as amended, 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 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 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;

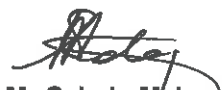
By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

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 decision 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: 06/02/2018

CC:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Tel: 011 656 3237	Email: joanne@savannahsa.com
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