



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/313

Enquiries: Mr Ahmed Ameen

Telephone: (012) 395 1729 Fax: (012) 395 7539 E-mail: aameen@environment.gov.za

Mr Keith Kirby  
Jouren Trading and Investments (Pty) Ltd  
PO Box 51884  
**WATERFRONT**  
8002

Fax Number: (021) 446 7090  
Telephone Number: (021) 446 7080

### **PER FACSIMILE / MAIL**

Dear Mr Kirby

### **AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 18 JUNE 2013 FOR THE PROPOSED CONSTRUCTION AND OPERATION OF THE 75MW PRIESKA SOLAR ENERGY FACILITY, NORTHERN CAPE PROVINCE**

The Environmental Authorisation issued for the above application by this Department on 18 June 2013 and your application for amendment received by this Department on 22 July 2013 refer.

Based on a review of the reason for requesting an amendment to the above Environmental Authorisation, this Department, in terms of Regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the Environmental Authorisation dated 18 June 2013 as follows:

#### **Amendment 1:**

The amendment to the description of the property of the project development footprint:

Page 4 of the Environmental Authorisation:

#### **From:**

***"the proposed construction of the 75MW Prieska Solar Energy Facility and its associated infrastructure on Portion 3 of the farm Holsloot 47 within the Siyathemba Local Municipality in the Northern Cape Province hereafter referred to as "the property"."***

#### **To:**

***"the proposed construction of the 75MW Prieska Solar Energy Facility and its associated infrastructure on the Remaining Extent of Portion 3 (Rooisloot) of the Farm Holsloot No 47 within the Siyathemba Local Municipality in the Northern Cape Province hereafter referred to as "the property"."***

**Amendment 2:**

The amendment to the description of the title of the project:

**From:**

**"Proposed construction of the Jouren 75MW Prieska Solar Energy Facility on Portion 3 of the farm Holsloot 47, Northern Cape."**

**To:**

**"Proposed construction of the 75MW Prieska Solar Energy Facility on Remaining Extent of Portion 3 (Roosloot) of the Farm Holsloot No 47, Northern Cape."**

**Amendment 3:**

The amendment to the description of the type of panels used for the proposed project:

**From:**

Page 4 of the Environmental Authorisation:

**"Solar Panels (single or double axis)"**

**To:**

**"Solar panels (either fixed or tracking)"**

**Amendment 4:**

The amendment to the contact details of the authorisation holder:

**From:**

The current holder of the Environmental Authorisation:

**"Jouren Trading and Investments (Pty) Ltd"**

Represented by: Mr Keith Kirby  
P. O. Box 51884  
Waterfront  
8002

Telephone Number: (021) 863 4582  
Fax Number: (086) 557 2061  
Email: Keith.kirby@ventusaenergy.com

**To:**

**"Jouren Trading and Investments (Pty) Ltd"**

Represented by: Mr Keith Kirby  
P. O. Box 51884  
Waterfront



8002  
Telephone Number: (021) 446 7080  
Fax Number: (021) 446 7090  
Email: keith.kirby@ventusaenergy.com

Furthermore, a shapefile of the preferred development layout/footprint must be submitted to this Department prior to commencement of the construction phase. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title.

The shape file must be submitted to:

**Postal Address:**

Department of Environmental Affairs  
Private Bag X447  
Pretoria  
0001

**Physical address:**

Department of Environmental Affairs  
Fedsure Forum Building (corner of Pretorius and Lillian Ngoyi Streets)  
4<sup>th</sup> Floor South Tower  
315 Pretorius Street  
Pretoria  
0002

For Attention: Mr Muhammad Essop  
Integrated Environmental Authorisations  
Strategic Infrastructure Developments  
Telephone Number: (012) 395 1734  
Fax Number: (012) 395 7539  
Email Address: MEssop@environment.gov.za

This letter must be read in conjunction with the Environmental Authorisation dated 18 June 2013.

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

Tel: 012 310 3271

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 faithfully



Mr Isheam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Date: 14/08/2013

CC:	Ms K Jodas	Savannah Environmental (Pty) Ltd	Tel: 011 656 3237	Fax: 086 684 0547
	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)**

<b>APPLICANT</b>	<b>INTERESTED AND AFFECTED PARTIES (IAPs)</b>
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.