

Workflow Details



EA127900 12/12/20/2669-Amendment for the proposed construction of the 19.9 MW Photovoltaic Facility for the generation of electricity on Portion 225 of farm Kalkoenkrans, Beatrix Mine Shaft 4, Oryx Mine in Virginia in the Free State Province

Date Initiated:	Initiator:	Current Performer:	Due Date:	Done Date	Workflow Status:
21 August 2013 04:20 PM	Jay-Jay Mpelane	Phathutshedzo Maradwa	23 September 2013 01:50 PM		Executing

Initiator Comments:

Dear Muhammad. Please find attached EA amendment for your review. The report was received by the Dept, on 12/08/2013. This is just a name change only. Jay-Jay.

Step Details...

Step Name	Performer	Task Disposition	Due Date	Done Date	Comments
Step 02 - Assistant Director (EIE)	Muhammad Essop	Concur	23 August 2013 04:20 PM	22 August 2013 08:28 AM	Dear Coenrad. Please find attached EA amendment for GoldSol I. We have received the application form on 12 August 2013. It is a non substantive amendment to change the holder of the EA. Muhammad
Step 03(E) - Deputy Director	Coenrad Agenbach	Concur	26 August 2013 08:28 AM	10 September 2013 09:25 AM	Dear Milicent Please find attached a non-substantive amendment (name change of holder for a PV facility. We have received the application form on 12 August 2013. This amendment need to be signed by 27 September 2013. Coenrad
Step 04(E) - Director	Milicent Solomons	Recommend (Forward to CD)	12 September 2013 09:25 AM	11 September 2013 10:25 AM	Dear DDG, please find attached a draft amendment of an EA (name change only) for your review and approval. Kind regards Milicent 11/09/2013
Step 05(E) - Chief Director	Ishaam Abader	Approved	18 September 2013 10:25 AM	13 September 2013 01:50 PM	Approved Ishaam
Step 05b(E) - Print Documents for CD	Phathutshedzo Maradwa		17 September 2013 01:50 PM		
Step 11(E) - Workflow Complete	EA Administrator		23 September 2013 01:50 PM		



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

NEAS Ref: DEA/EIA/0000877/2011

DEA Ref: 12/12/20/2669/A

Enquiries: Mr Jay-Jay Mpelane

Telephone: (012) 310 3004

DEPUTY DIRECTOR-GENERAL: LEGAL, AUTHORISATIONS, COMPLIANCE AND ENFORCEMENT

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 05 JULY 2012 AND THE AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 22 JANUARY 2013 FOR THE CONSTRUCTION OF A 19.9 MW PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON PORTION 225 OF THE FARM KALKOENKRANS, BEATRIX MINE SHAFT 4, ORYX MINE IN VIRGINIA, FREE STATE PROVINCE

1. PURPOSE

The purpose of this submission is to inform the Deputy Director-General: Legal, Authorisations, Compliance and Enforcement (LACE) of the proposed amendment of the Environmental Authorisation (EA) issued by the Department on 05 July 2012, the amendment to the EA issued by the Department on 22 January 2013 and to obtain a signature on the attached draft letter of amendment of the EA, should the DDG: LACE concur.

2. SUMMARY AND BACKGROUND

- 2.1. Selexos Solar (Pty) Ltd lodged an application for Environmental Authorisation for the construction of a 19.9 MW Photovoltaic solar facility for the generation of electricity on Portion 225 of the Farm Kalkoenkrans, Beatrix Mine Shaft 4, Oryx Mine in Virginia, Free State Province.
- 2.2. The EA for the above mentioned application was issued on 05 July 2012. The approved EA is attached.

- 2.3. On 14 August 2012, the independent Environmental Assessment Practitioner, Mr TL Mphagi of Tshikovha Environmental wrote to this Department to request an amendment to the EA. The amendment to the EA for the abovementioned application was issued on 22 January 2013. The approved amendment to the EA is attached.
- 2.4. On 12 August 2013, this Department received an application from GoldSol I (Pty) Ltd requesting a second amendment to the EA dated 05 July 2012 and the amendment dated 22 January 2013.
- 2.5. One amendment to the EA was requested. The amendment related to a change in the holder of the EA:

The current holder of the Environmental Authorisation:

“Selexos Energy (Pty) Ltd”

Represented by: Mrs Tina Scherf

Private Bag X5

Norwood

2116

Fax: (+49) 3304 522 659

Cell: (073) 391 8843

Email: tina@selexos.co.za

Is to be amended to:

“GoldSol I (Pty) Ltd”

Represented by: Mr Nuno Nobrega

21 George Storrar Drive

Groenkloof

Pretoria

0181

Telephone Number: (012) 460 8216

Fax Number: (012) 460 7465

Email Address: nunos@tmm.co.za



- 2.6. In view of the above, this Department is satisfied that, subject to compliance with the conditions in the EA dated 05 July 2012; and the amendment to the EA dated 22 January 2013, the proposed activity will not conflict with the general objectives of Integrated Environmental Management laid down in Chapter 5 of the National Environmental Management Act, 1998 as amended, and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels.
- 2.7. It is requested that the DDG: LACE signs the non-substantive amendment letter, should he concur.
- 2.8. The amendment letter must be read in conjunction with the EA issued on 05 July 2012 and the amendment to the EA issued on 22 January 2013.

3. IMPLICATIONS

Personnel

No implications.

Financial

No implications.

Communication

No implications.

Appeals

It is unlikely that appeals will be lodged as the amendment is not substantive.

4. CONSULTATION

4.1. Internal

It was not necessary to request comments, as this is a non-substantive amendment.

4.2. External

It was not necessary to request comments, as this is a non-substantive amendment.

NEAS Reference: DEA/EIA/0000877/2011

DEA Reference: 12/12/20/2669/A

Project Title: Proposed construction of a 19.9 MW Photovoltaic Facility for the generation of electricity on Portion 225 of the Farm Kalkoenkrans, Beatrix Mine Shaft 4, Oryx Mine in Virginia in the Free State Province

5. RECOMMENDATION

Based on the above, it is recommended that the proposed draft amendment letter attached be signed by the DDG: LACE.

DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS

DATE:

RECOMMENDATION: APPROVED / NOT APPROVED



DEPUTY DIRECTOR-GENERAL: LEGAL, AUTHORISATIONS, COMPLIANCE AND ENFORCEMENT

DATE:

13/09/2013



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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NEAS Reference: DEA/EIA/0000877/2011

DEA Reference: 12/12/20/2669/A

Enquiries: Jay-Jay Mpelane

Telephone: (012) 310 3004 **Fax:** (012) 320 7539 **E-mail:** Jmpelane@environment.gov.za

Mr Nuno Nobrega
GoldSol I (Pty) Ltd
21 George Storrar Drive
GROENKLOOF
0181

Fax Number: (012) 460 7465
Telephone Number: (012) 460 8216

PER FACSIMILE / MAIL

Dear Mr Nobrega

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 05 JULY 2012 AND THE AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 22 JANUARY 2013 FOR THE CONSTRUCTION OF A 19.9 MW PHOTOVOLTAIC FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON PORTION 225 OF THE FARM KALKOENKRANS, BEATRIX MINE SHAFT 4, ORYX MINE IN VIRGINIA, FREE STATE PROVINCE

The Environmental Authorisation issued for the above application by this Department on 05 July 2012; the amendment to the Environmental Authorisation issued by this Department on 22 January 2013 and your application for amendment to the Environmental Authorisation received by this Department on 12 August 2013 refers.

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 05 July 2012 and the amendment to the Environmental Authorisation dated 22 January 2013 as follows:

The current holder of the Environmental Authorisation:

"Selexos Energy (Pty) Ltd"

Represented by: Mrs Tina Scherf
Private Bag X5
Norwood
2116

Fax: (+49) 3304 522 659
Cell: (073) 391 8843
Email: tina@selexos.co.za

Is hereby amended to:

“GoldSol I (Pty) Ltd”

Represented by: Mr Nuno Nobrega
21 George Storrar Drive
GROENKLOOF
Pretoria
0181

Telephone Number: (012) 460 8216
Fax Number: (012) 460 7465
Email Address: nunos@tmm.co.za

Furthermore, a shapefile of the approved 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)
4th 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) 320 7539
Email Address: MEssop@environment.gov.za

This letter must be read in conjunction with the Environmental Authorisation dated 05 July 2012 and the amendment to the Environmental Authorisation dated 22 January 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 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

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 Ishaam Abader
Deputy Director-General: Legal, Authorisations, Compliance and Enforcement
Department of Environmental Affairs

Date: 13/09/2013

CC:	Mr M Mudzielwana	Tshikovha Environmental and Communication Consulting	Tel: (012) 752 9941/2	Fax: (086) 600 1016
	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"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on 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 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.

BROADCAST REPORT

TIME : 16/09/2013 14:15
 NAME :
 FAX :
 TEL :
 SER.# : A9J860478

PAGE(S)

04

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
16/09	12:15	0866001016	03:31	04	OK	ECM
16/09	12:19	0123205744	39	04	OK	ECM
16/09	14:15	0124607465	00	00	BUSY	

CV : COVERPAGE
 PC : PC-FAX

BROADCAST REPORT

TIME : 16/09/2013 14:16
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 FAX :
 TEL :
 SER.# : A9J860478

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04

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
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16/09	14:16	0124607465	00	00	BUSY	

CV : COVERPAGE
 PC : PC-FAX