



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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NEAS Reference: DEA/EIA/0000606/2011

DEA Reference: 12/12/20/2502

Enquiries: Mr Ahmed Ameen

Telephone: (012) 395 1729 Fax: (012) 320 7539 E-mail: [A.Ameen@environment.gov.za](mailto:A.Ameen@environment.gov.za)

Mr Jorge Barredo Lopez  
Gestamp Prieska PV2 (Pty) Ltd  
20<sup>th</sup> Floor – Metropolitan Building  
7 Coen Steyler Avenue  
**CAPE TOWN**  
8001

Fax Number: (086) 510 6498

Telephone Number: (021) 418 4221

### **PER FACSIMILE / MAIL**

Dear Mr Lopez

**AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 02 JANUARY 2013 AND THE AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 MARCH 2013 FOR THE PROPOSED CONSTRUCTION OF THE 100MW PHOTOVOLTAIC SOLAR ENERGY FACILITY (PV2) ON THE FARM STRUISBULT (FARM NO 104 PORTION 1) KNOWN AS VOLGELSTRUISBULT NEAR COPPERTON, NORTHERN CAPE PROVINCE**

The Environmental Authorisation issued for the above application by this Department on 02 January 2013; the amendment to the Environmental Authorisation issued by this Department on 28 March 2013; and your application for amendment to the Environmental Authorisation received by this Department on 12 September 2013 refers.

Based on a review of the reason for requesting an amendment to the above Environmental Authorisation (EA), this Department, in terms of Regulation 42 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the EA dated 02 January 2013 and the amendment to the EA dated 28 March 2013 as follows:

The current holder of the Environmental Authorisation:

"Struisbult PV2 (Pty) Ltd"  
Registration Number: 2012/022485/07

Represented by: Mr Warren Morse  
PO Box 50  
Cape Town International Airport  
7525

Tel: (021) 934 5268  
Fax: (021) 935 0505  
Cell: (083) 760 9586  
Email: warren@mulilo.com

**Is hereby amended to:**

"Gestamp Prieska PV2 (Pty) Ltd"  
Registration Number: 2012/022485/07

Represented by:  
Mr. Jorge Barredo Lopez  
20th Floor – Metropolitan Building  
7 Coen Steyler Avenue  
Cape Town  
8001

Telephone Number: (021) 418 4221  
Cell phone Number: (071) 313 3565  
Fax Number: (086) 510 6498  
Email Address: arnold.rix@gestampren.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 Hartbeesthoek 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) 320 7539  
Email Address: [MEssop@environment.gov.za](mailto:MEssop@environment.gov.za)

This letter must be read in conjunction with the EA dated 02 January 2013 and the amendment to the EA dated 28 March 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:**

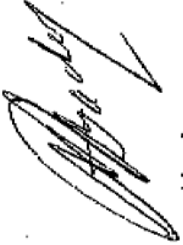
Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

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

Date: 01/10/2013

CC: Ms K Jodas	Savannah Environmental (Pty) Ltd	Tel: 011 656 3237	Fax: 086 684 0547
Ms A Yaphi	DEA&NC	Tel: 054 332 2885	Fax: 054 331 1155
Mr G Bessies	Siyathambe Local Municipality	Tel: 053 353 5300	Fax: 053 353 1386
Mr S Malaiza	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"> <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:**

- An appeal against a decision must be lodged with:-**
  - 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;
  - 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;
- An appeal lodged with:-**
  - the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  - the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
- An appeal must be:-**
  - submitted in writing;
  - 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.

