



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/844/AM1

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PER EMAIL / MAIL

Dear Mr Morse

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 10 SEPTEMBER 2018 FOR THE 75MW GEMSBOK PV6 SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON PORTION 8 OF THE GEMSBOK BULT FARM 120 NEAR KENHARDT WITHIN THE KHEIS LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 10 September 2018 and the Appeal Decision dated 17 January 2019 refer.

With reference to the above application, please be advised that based on the Appeal Decision dated 17 January 2019, the Department has decided to amend the EA dated 10 September 2018, as follows:

Amendment 1: Amendment to remove Condition 34 of the EA:

The following Condition (34) is hereby removed from the EA:

“Environmental Authorisation is granted on condition that not more than 6 approved facilities in the project area are awarded preferred bidder status by the Department of Energy (DoE).”

This letter must be read in conjunction with the EA dated 10 September 2018.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA 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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

MS

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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:

The 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, Act No. 107 of 1998, as amended, 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: 11/02/2015