



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/2/1105/AM2

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Andrew Melville Johnson
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Hyde Lane, Hyde Park
JOHANNESBURG
2196

Telephone Number: 083 854 1986
Email Address : andrew@sturdee-energy.com

PER E-MAIL

Dear Mr Johnson

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JUNE 2019 FOR THE PROPOSED CONSTRUCTION OF THE 100MW ALLEPAD ONE PHOTOVOLTAIC SOLAR ENERGY GENERATION FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR UPINGTON WITHIN THE DAWID KRUIPER LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the abovementioned application by this Competent Authority (CA) on 27 June 2019, the EA amendment dated 15 July 2019, your application for amendment of the EA received by the CA on 20 June 2024, and the acknowledgement letter dated 01 July 2024, refer.

Based on a review of the reason for requesting an amendment to the above EA, this CA in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 27 June 2019, as amended as follows:

Amendment 1: Extension of validity period - Condition 7 of the EA dated 27 June 2019

The validity period of the EA (which was due to lapse on **27 June 2024**) is hereby extended by an additional five (5) years to **27 June 2029**. As such, condition 7 of the EA dated **27 June 2019** is amended as follows:

"7. This activity must commence within a period of ten (10) years from the expiry date of issue of this authorisation. The authorisation **lapses on 27 June 2029**. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made for the activity to be undertaken."

Reason for the above amendment

The holder of the EA has been unsuccessful in previous bidding rounds of the REIPPPP and private offtake (wheeling) and requires an extension of the EA in order to participate in upcoming rounds of the REIPPPP program.

Amendment 2: To amend the contact details of the holder of the EA

From:

Louis van Heerden
P.O. Box 706
BETTY'S BAY
7141

Cell phone number: (072) 793 9133
E-mail Address: louis@ilenergysa.com

To:

Andrew Melville Johnson
ILEnergy Development (Pty) Ltd
2nd Floor Grosvenor Gate
Hyde Lane Office Park
Hyde Lane, Hyde Park
JOHANNESBURG
2196

Cellphone Number: 083 854 1986
Email Address : andrew@sturdee-energy.com

Reason for the above amendment

The holder of the EA, Louis van Heerden is no longer the Director of the holding company.

This amendment letter must be read in conjunction with the EA dated 27 June 2019, as amended.

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 stipulate 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 abuse or compromise 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 fourteen (14) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the 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 prescribes 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 twenty (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: appeals@dfef.gov.za

By hand: Environment House
473 Steve Biko Road
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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfef.gov.za.

Yours faithfully



Dr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 17/07/2024

cc:	Mr Dale Holder	Cape Environmental Assessment Practitioners	Email: dale@cape-eaprac.co.za
	Mr Lerato wa Modise	Northern Cape (DAEARD&LR)	Email: bbotes@ncpg.gov.za
	Elias Ntoba	Dawid Kruiper Municipality	Email: manager@kharahais.gov.za