



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: 14/12/16/3/3/2/1108/AM2

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

Cell Phone Number: (083) 854 1986
E-mail Address: andrew@sturdee-energy.com

PER E-MAIL

Dear Mr Johnson

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 01 JULY 2019, AS AMENDED FOR THE CONSTRUCTION OF THE ALLEPAD FOUR 100MW PHOTOVOLTAIC SOLAR ENERGY GENERATION FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR UPINGTON WITHIN THE DAVID KRUIPER LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 01 July 2019, the amendment to the EA dated 19 July 2019, your application for amendment received by the Department on 20 June 2024 and the acknowledgement letter dated 26 June 2024, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the NEMA EIA Regulations, 2014 as amended, has decided to amend the EA dated 01 July 2019, as amended as follows:

Amendment 1: Amendment to change the contact details of the holder of the EA:

From:

Mr Louis van Heerden
ILEnergy Development (Pty) Ltd
PO Box 706
BETTY'S BAY
7141

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

To:

Mr Andrew Johnson
IL Energy Development (Pty) Ltd
2nd Floor, Grosvenor Gate
Hyde Lane Office Park
Hyde Lane
Hyde Park
JOHANNESBURG
2196

Cell phone Number: (083) 854 1986
E-mail Address: andrew@sturdee-energy.com

Reason for amendment:

The holder of the EA requires the contact details of the holder to be changed, as the contact person of the holder of the EA is no longer a director of the holding company.

Amendment 2: Amendment Condition 07 on page 08 of the EA to extend the validity period of the EA:

From:

"This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken."

To:

"This activity must commence within a period of ten (10) years from the expiry date of issue of the environmental authorisation issued on 01 July 2019. The EA will now lapse on 01 July 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 in order for the activity to be undertaken."

Reason for amendments:

The holder of the EA has been unsuccessful in previous bidding rounds of the REIPPPP and private off-take (wheeling) and requires an extension of the validity period of the EA in order to participate in upcoming rounds of the programme.

This proposed amendment letter must be read in conjunction with the EA dated 01 July 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 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 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 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 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@dffe.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@dffe.gov.za.

Yours faithfully


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

Date: 18/09/2024

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