

# Alistair Young

Director



Alistair Young is a Director in our Corporate & Commercial practice.

## About Alistair

Alistair completed his articles through a general practice firm of Attorneys based in Cape Town whereafter he specialised in the practice of Environmental Law, with a particular focus on drafting and presenting the environmental findings of due diligence investigations for lenders and investors regarding wind and solar (concentrated and photovoltaic) projects associated with the Renewable Energy Independent Power Producer Procurement Programme as well as coal independent power producer projects and the funding of new mine projects.

The focus of these due diligence investigations was on identifying the environmental legal risks associated with such projects including the environmental licensing, permitting and authorisation requirements and possible objections and appeals by interested and affected parties. Alistair has also represented numerous renewable energy developers relating to appeals and judicial reviews by interested and affected parties against the issuing of environmental authorisations for proposed renewable energy projects.

Alistair has developed and presented online renewable energy workshops that focus on the environmental authorisation, licensing and permit requirements of renewable energy projects and the numerous environmental legal complications that could arise during the project development and operational phases.

## Credentials

### Education

- BA degree, University of Cape Town (Specialising in environmental science)
- LLB degree, University of Cape Town
- Master's degree focusing on International and South African Environmental Law.
- Admitted Attorney

## Experience

## Contact Alistair

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## Expertise

Corporate & Commercial Law

Environmental Law

Agriculture, Aquaculture & Fishing

## Location

Johannesburg

## Language

English

- Advising Cennergi in respect of its Lephale photovoltaic (PV) project, which entails the development, financing, construction and operation of a circa 80MW PV plant that will supply the Grootegeluk mine with energy under a long-term power purchase agreement. The project is part of Exxaro's decarbonisation strategy with a gradual diversification away from the coal generated electricity and by investing in growth in clean energy. As part of conducting a due diligence process, our team is responsible for assisting and advising on all necessary consents and permits that are required for financial close. The mandate has also extended to providing additional assistance with project development.
- Advising Engie as the purchaser in the proposed sale and the proposed-on sale of the entire shareholding interest in the target or by certain of the target's wholly-owned subsidiaries of their entire shareholding in various of the target's wholly-owned subsidiaries to Engie. Furthermore, the proposed on-sale by Engie of all of the shares held by the target group in the Kipeto Project Company (or the Kipeto Project Company's holding company) to Meridiam following the implementation of the proposed transaction. In this matter, we played a significant role in setting out the high level key aspects of environmental law compliance in respect of each of the relevant members of the target group. The environmental legal assessment pertained to a number of operational projects of the target, including Golden Valley Project, Kipeto Project, Konkonsies Project and MSP Solar.
- Drafting and presenting the environmental findings of due diligence investigations for lenders and investors regarding wind and solar (concentrated and photovoltaic) projects associated with the Renewable Energy Independent Power Producer Procurement Programme as well as coal independent power producer projects and the funding of new mine projects.
- Drafting environmental and health and safety sections of both vendor and red flag due diligence reports relating to a wide spectrum of industries in sectors including but not limited to retail, food and beverage manufacturing, waste management, import, manufacture and distribution of hazardous chemical substances, mining, medical, petroleum, small-scale household and industrial solar energy and aviation.
- Advising and assisting a junior gold mining company with formulating responses to directives issued by the Department of Water and Sanitation in terms of section 53 of the National Water Act.
- Formulating and developing environmental law course content and thereafter presenting the training sessions for clients in the mining and industrial sectors. The training courses covered a range of environmental law issues including water, waste, air quality, EIA, mining, director liability and biodiversity.
- Assisting developers of renewable energy projects with the drafting of answering affidavits to judicial review applications initiated by interested and affected parties against the administrative decisions to grant environmental authorisations for renewable energy facilities.
- Alistair has assisted various clients operating in different sectors with strategic environmental legal advice relating to environmental legal compliance in scenarios where compliance action has been threatened or initiated.

## News

### [Recent environmental law developments impacting solar, battery and grid infrastructure projects](#)

Solar PV and BESS projects excluded from environmental authorisation requirements under specified circumstances Over the past couple of years, several initiatives and revisions have been introduced to the environmental and energy legal framework to reduce regulatory red tape that may unnecessarily hinder project development and implementation. Given the ongoing and future risk of shortage of sufficient electricity supply to meet demand, regulators have consistently sought to alleviate overly cumbersome long-lead permitting processes within the energy sectorspecifically.

### [Residue stockpiles and residue deposits: Making sense of the amendments maze](#)

A notice for proposed amendments to the 2014 Environmental Impact Assessment (EIA) Regulations (EIA Regulations) and associated 2014 EIA Listing Notices 1, 2 and 3 (Listing Notices) pertaining to, inter alia , residue stockpiles and residue deposits, was published for comment by the Minister of Forestry, Fisheries and the Environment on 4 August 2023 (2023 Notice).

[Greater certainty as to when biodiversity offsets can be recommended as suitable mitigation measures in applications for environmental authorisation](#)

On 23 June 2023 the Minister of Forestry, Fisheries and the Environment published the National Biodiversity Offset Guideline (Guideline) in Government Notice 3569 of Government Gazette 48841. The Guideline comes into immediate effect and is to be implemented with the view to addressing the perceived shortcomings in biodiversity offset practices in South Africa.

[DWS clarifies the transformation requirements in the proposed new water license regulations](#)

On 19 May 2023, the Department of Water and Sanitation (Department) published the Revision of the Regulations Regarding the Procedural Requirements for Water Use Licence Applications (draft Regulations).

[All news by Alistair Young →](#)