



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: 12/12/20/2600/AM4

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Khoi-Sun Development (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
CAPE TOWN
8012

Tel number: (021) 418 3940
Cell number: (072) 212 1531
Email address: m.logan@redrocket.energy

PER E-MAIL / MAIL.

Dear Mr Brambilla

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 26 JUNE 2013 FOR THE SKUITDRIFT 2 SOLAR PHOTOVOLTAIC (PV) ENERGY FACILITY ON A PORTION OF THE FARM SKUITDRIF 426, WITHIN THE SIYANDA DISTRICT MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above-mentioned project dated 26 June 2013, the amendment to the EA dated 19 February 2016, 29 June 2018 and dated 08 June 2020, the application for amendment of the EA received on the 05 June 2023, the draft motivation report received on 10 July 2023, the comments dated 02 August 2023, the final motivation report received by this Department on 18 August 2023; refers.

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 26 June 2013 as amended, as follows:

Amendment 1: To extend the validity period of the EA

- i. The activity must commence within a period of twenty (20) years from the expiry date of the EA dated 26 June 2013, which would have lapsed on 26 June 2023, now extended by additional **ten (10) years** which lapses on **26 June 2033**. 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.
- ii. This correspondence is only for the extension of the validity period and the change of email address as stated herein above and all conditions set out in the Environmental Authorisation dated 26 June 2013 remain unchanged and must be adhered to.

M.S.

Amendment 2: To amend the email address of the holder of the EA

From:

m.michalowska@buildingenergy.it

To:

m.logan@redrocket.energy

Reason for amendment:

The applicant wishes to extend the validity of the EA beyond ten (10) years as the proposed project has not obtain preferred bidder yet. The extension of the EA validity is requested in order to enable the holder of the EA to bid the project in upcoming rounds of the REIPPPP (the date of which is unknown) or any other government tenders or private off-taker programmes and commence with construction following Financial Close (should the project be selected as a preferred bidder) prior to the EA lapsing. Furthermore, the email address has changed and therefore is requested to be updated in the EA.

The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of the initial EA, hence the EMPr must be amended to include the additional mitigation measures as recommended and dictated by the various Comparative Assessment Statements submitted in the final Motivation Report dated August 2023. These inputs include, ecological, aquatic, avifaunal specialist recommendations. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved, the EMPr must be implemented and adhered to.

This proposed amendment letter must be read in conjunction with the EA dated 26 June 2013, 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 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.

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 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 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



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment

Date: *11/09/2023*

Cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: ioanne@savannahsa.com
	Ms Gail Letimela	Northern Cape: DAEARDLR	Email: gletimela@ncpp.gov.za
	Bennie Kordon	Kai!Garib Local Municipality	Email: mackayji@kaiagarib.gov.za