



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: 14/12/16/3/3/2/2085/AM1

Enquiries: Ms Chantell Mabusela

Telephone: (012) 399 9389 E-mail: dmabusela@dffe.gov.za

Mr Dick Berlijn
Kutlwano Solar Power Plant (RF) (Pty) Ltd
PO Box 785553
Sandton
2146

Telephone Number: (011) 500 3680
Email Address: berlijn@subsolar.co.za

PER EMAIL / MAIL

Dear Mr Berlijn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 25 APRIL 2022 FOR THE PROPOSED DEVELOPMENT OF A 150 MW_{ac} KUTLWANO SOLAR POWER PLANT AND ASSOCIATED INFRASTRUCTURE ON THE PORTION 4 OF THE FARM HOUTHAAALDOORNS 2, WITHIN THE DITSOBOTLA LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 25 April 2022, your application for amendment of the EA received by the Department on 29 June 2022, the acknowledgement email dated 07 July 2022 and the additional information received on 11 July 2022, 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 Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 25 April 2022 as amended, as follows:

Amendment 1: Amendment of the Project Title description of the development on page 1 of the EA

Section to be amended on the EA	From	To
<u>The project description</u>	<i>"The 150MW Kutlwano Solar power plant near Lichtenburg within Ditsibola Local Municipality, Northwest Province."</i>	<i>The development of a 150MW Kutlwano Solar Power Plant and associated infrastructure on the Portion 4 of the farm Houthaaldoorns 2, within the Ditsobotla Local Municipality in the North West Province</i>

Reason for amendment:

This amendment is only for clarity regarding the property on which the PV facility is located. The project forms part of a cluster (including Boitumelo SPP (14/12/16/3/3/2/2083) and Lerato SPP (14/12/16/3/3/2/2084). Therefore, the applicant requires the title of the projects to follow the same format as to avoid any confusion.

Amendment 2: Correction of the district municipality on page 1 of the EA

Section to be amended on the EA	From:	To:
Page 1 (line 5)	"Fezile Dabi District Municipality"	"Ngaka Modiri Molemo District Municipality"
Property Description	"Portion 4 of the farm Houthaaldoors 2; Portion 2 of Farm Zamekomst 4; Portion 23 of Farm Houthaalbomen 31; Portion 10 of Farm Lichtenburg Town and Townlands 27; Remaining Extent of Portion 1 of Farm Lichtenburg Town and Townlands 27; Remaining Extent of Farm Priem 30; Portion 25 of Farm Houthaalbomen 31 within the Ditsibola Local Municipality, Fezile Dabi District Municipality in Northwest Province"	Solar Power Plant: "Portion 4 of the farm Houthaaldoors 2 Power Line Corridor: Portion 4 of the farm Houthaaldoors 2, Portion 2 of Farm Zamenkomst 4; Portion 23 of Farm Houthaalboomen 31; Portion 10 of Farm Lichtenburg Town and Townlands ;27 Remaining extent of portion 1 of Farm Lichtenburg Town and Townlands 27; Remaining extent of farm Priem 30; Portion 25 of Houthaalboomen 31; on Ward 16 within Ditsobotla Local Municipality in Ngaka Modiri Molema District Municipality , Northwest Province"

Reason for amendment:

This amendment is to rectify the name of the district municipality where the development is proposed. The correction is in terms of an administrative error made, when information was carried over to the EA.

Amendment 3: Amendment of to the description of the location of the proposed activity on page 1 (row 4) of the EA**From:**

"Portion 4 of the farm Houthaaldoors 2; Portion 2 of Farm Zamekomst 4; Portion 23 of Farm Houthaalbomen 31; Portion 10 of Farm Lichtenburg Town and Townlands 27; Remaining Extent of Portion 1 of Farm Lichtenburg Town and Townlands 27; Remaining Extent of Farm Priem 30; Portion 25 of Farm Houthaalbomen 31 within the Ditsibola Local Municipality, Fezile Dabi District Municipality in Northwest Province"

To:"Solar Power Plant:

Portion 4 of the farm Houthaaldoorns 2

Power Line Corridor:

Portion 4 of the farm Houthaaldoorns 2

Portion 2 of Farm Zamenkomst 4

Portion 23 of Farm Houthaalboomen 31

Portion 10 of Farm Lichtenburg Town and Townlands 27

Remaining extent of portion 1 of Farm Lichtenburg Town and Townlands 27

Remaining extent of farm Priem 30

Portion 25 of Houthaalboomen 31, on Ward 16 within Ditsobotla Local Municipality in Ngaka Modiri Molema District Municipality, Northwest Province"

Reason for amendment:

This amendment is to ensure that a distinction is made between the properties to be occupied by the solar power plant and the properties occupied by the power line. This amendment is to provide clarity and to avoid any confusion.

Amendment 4: Amendment to add the stipulation of export generation capacity limits in Megawatts ac (alternating current) from 150MW to 150MWac. The following is amended on the EA

<u>Section to be amended on the EA</u>	<u>From</u>	<u>To</u>
<u>The project description</u>	"The 150MW Kutlwano Solar power plant near Lichtenburg within Ditsibola Local Municipality, North West Province."	"The 150MWac Kutlwano Solar power plant near Lichtenburg within Ditsibola Local Municipality, North West Province."
<u>Listing Notice 2, Item 01 on page 4</u>	"Activity 1 is triggered since the proposed photovoltaic solar facility will generate up to 150 megawatts electricity through the use of a renewable resource."	"Activity 1 is triggered since the proposed photovoltaic solar facility will generate up to 150 megawatts alternating current electricity through the use of a renewable resource."
<u>Activity description on page 6</u>	"- for the 150MW Kutlwano Solar power plant near Lichtenburg within Ditsibola local Municipality, Northwest Province, hereafter referred to as "the property "."	"-for the 150MWac Kutlwano Solar power plant near Lichtenburg within Ditsibola local Municipality, Northwest Province, hereafter referred to as "the property "."
<u>Key Infrastructure on page 6 (point 1)</u>	"PV Panel Array – To produce up to 150MW , the proposed facility will require numerous linked cells placed behind a protective glass sheet to form a panel ."	"PV Panel Array – To produce up to 150MWac , the proposed facility will require numerous linked cells placed behind a protective glass sheet to form a panel ."
<u>Condition 1, on page 8</u>	"The 150MW Kutlwano Solar power plant near Lichtenburg within Ditsibola Local Municipality, Northwest Province, is approved as per the geographic coordinates cited in the table above."	"The 150MWac Kutlwano Solar power plant near Lichtenburg within Ditsibola Local Municipality, Northwest Province, is approved as per the geographic coordinates cited in the table above."

Reason for amendment:

This amendment is only for clarity on the export generation capacity and to avoid confusion with the installed capacity of the facility.

Amendment 5: Stipulation of installed capacity limits in Megawatts dc (direct current)

The amendment is for the stipulation of installed capacity limits in Megawatts dc (direct current). There will be no increase in the total export capacity as approved, however the maximum installed dc capacity is now specified and limited to up to 230MWdc. The development footprint, dimensions and generation capacity authorised will remain unchanged. The total export generation capacity of the facility will remain at 150MWac. However, the installed dc capacity will be up to 230MWdc. The following bullet should be amended in the original EA (14/12/16/3/3/2/2085):

Section to be amended on the EA	From	To
The key infrastructure description bullet 3 Page 6 (EA):	<i>"-for the 150MWac, Kutlwano Solar power plant near Lichtenburg within Ditsibola local Municipality, Northwest Province, hereafter referred to as "the property"."</i>	<i>"-for the 150MWac/230MWdc, Kutlwano Solar power plant near Lichtenburg within Ditsibola local Municipality, Northwest Province, hereafter referred to as "the property"."</i>

Reason for amendment:

More efficient PV panels will be installed for the PV facility. These panels will have the same dimensions as authorised but will be able to produce higher dc output. The total export generation capacity of the facility will remain at 150MWac. However, the installed dc capacity will be up to 230MWdc. There will be no increase in the total export capacity as approved, however the maximum installed dc capacity is now specified and limited up to 230MWdc.

Amendment 6: Rewording of the descriptions in the EA used for the capacity of the on-site substation, switching station and collector substation:

The amendment is for the removal of the reference to the MVA values for the on-site substation, switching station and collector substation. The following bullets should be amended in the original EA (14/12/16/3/3/2/2085):

Section to be amended on the EA	From	To
Listing Notice 1, Item 11 on page 3	<i>"Activity 11(i) is triggered as the proposed photovoltaic solar facility will transmit and distribute electricity of 132 kilovolts outside an urban area. The infrastructure for the distribution of electricity will include a power line (132 kV) and an onsite HV/MV substation (130 MVA). For the preferred power line corridor, the power line will be constructed in an ~9.5km long and 100 m wide corridor. It is expected that generation from the facility will</i>	<i>"Activity 11(i) is triggered as the proposed photovoltaic solar facility will transmit and distribute electricity of 132 kilovolts outside an urban area. The infrastructure for the distribution of electricity will include a power line (132 kV) and an onsite HV/MV substation. For the preferred power line corridor, the power line will be constructed in an ~9.5km long and 100 m wide corridor. It is expected that generation from the facility will tie</i>

	<i>tie in with the Eskom Watershed 275/132/88 MTS substation."</i>	<i>in with the Eskom Watershed 275/132/88 MTS substation"</i>
Technical details of the PV facility on page 7 (row 6) of the EA	<i>"Minimum 130MVA in HV/MV substation/132kV"</i>	<i>"HV/MV substation/132kV"</i>
Technical details of the PV facility on page 7 (row 7) of the EA	<i>"Minimum 130MVA in HV/MV substation/132kV"</i>	<i>HV/MV substation/132kV"</i>

Reason for amendment:

This amendment is only for clarity and to avoid confusion. MVA values are not relevant in terms of any of the listed activity thresholds and should therefore be removed.

This proposed amendment letter must be read in conjunction with the EA dated 25 April 2022 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 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@dffe.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 appeals@dffe.gov.za

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 03/08/2022.

cc:	Christia van Dyk	Environamics	christia@environamics.co.za
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Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA
Tel(+ 27 12) 398 9000

Enquiries: Devnagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dffe.gov.za

Ms. Milicent Solomons
Director. Prioritized Infrastructure Projects

Dear Mrs Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms Devnagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and
Sector Monitoring)

Date 20 April 2022

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorizations

Signed:

Date:

20/04/2022