



**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

OFFE Reference: 14/12/16/3/3/2/852/AM5  
Enquiries: Trisha Pillay  
Telephone: (012) 399 9406 E-mail: TPillay@dfie.gov.za

Mr Daniel Palm  
Ngonyama Solar (Pty) Ltd  
15a Greenacres Road  
Constantia  
CAPE TOWN  
7806

Telephone Number: (071) 482 1315  
Email Address: dan@evolution-africa.com  
Dan@moshesh.partners

**PER EMAIL**

Dear Mr Palm

**AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 05 SEPTEMBER 2016, AS AMENDED, FOR THE 125 MEGAWATTS (MW) NGONYAMA PHOTOVOLTAIC (PV) SOLAR FACILITY AND ITS ASSOCIATED INFRASTRUCTURE NEAR DEALESVILLE WITHIN THE TOKOLOGO LOCAL MUNICIPALITY IN THE FREE STATE PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 05 September 2016, the amendments to the EA dated 13 July 2021 and 28 March 2022, your application for an amendment of the EA received by the Department on 05 July 2022 and the acknowledgement letter dated 08 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 05 September 2016 as amended, as follows:

**Amendment 1: Change to the details of the holder of the EA:**

The details of the holder of EA are amended on page 01 and page 02:

**From:**

"Mr Daniel Palm  
Ngonyama Solar Pty Ltd (2022/308/072/07)  
5<sup>th</sup> Floor Mariendahl House  
Newlands on Main  
11 Main Road, Newlands  
CAPE TOWN  
7700

  
COMMISSIONER OF OATHS (RSA)  
Winita du Toit  
Financial Manager  
Ref: RO-03/03/2020  
1 Mount Peak Drive  
Midlands Estate  
1692

I certify that this document is a true copy of the original which was examined by me and that, from my observations, the original has not been altered in any manner. Date: 18/11/2022

MS.

Telephone Number: (071) 482 1315  
Email Address: dan@evolution-africa.com  
Dan@moshesh.partners"

**To:**

"Mr Daniel Palm  
Ngonyama Solar (Pty) Ltd  
15a Greenacres Road  
Constantia  
CAPE TOWN  
7806

Telephone Number: (071) 482 1315  
Email Address: dan@evolution-africa.com  
Dan@moshesh.partners"

**Reason for amendment:**

The contact details of the Holder has changed and this needs to be reflected in the Environmental Authorisation.

**Amendment 2: Change to the Holder of the EA:**

The holder of the EA is amended on page 01 and page 02:

**From:**

"29 Solar (Pty) Ltd"


**To:**

"Ngonyama Solar (Pty) Ltd"

**Reason for amendment:**

The Holder of the EA has changed and this needs to be reflected in the Environmental Authorisation.

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**Amendment 3: Change to the name of the facility and an increase in generation capacity of the facility:**

a) The title on page 01 of the EA is amended:

**From:**

"The 100 Megawatts (MW) Maxwell Photovoltaic (PV) Solar Facility and its associated infrastructure near Dealesville within the Tokologo Local Municipality in the Free State Province"

**To:**

"The 125 Megawatts (MW) Ngonyama Photovoltaic (PV) Solar Facility and its associated infrastructure near Dealesville within the Tokologo Local Municipality in the Free State Province"

b) The activity description on page 03 of the EA is amended:


**From:**

<p><b><u>GN R. 984: Activity 1:</u></b>                  "The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more"</p>	<p>The proposed project will entail the construction of a 100 MW solar PV facility (i.e., facility for the generation of electricity from a renewable resource). The proposed solar PV facility will be constructed approximately 5 km west of Dealesville within the Tokologo Local Municipality, Free State Province. Hence the proposed project will take place outside of an urban area.</p>
<p><b><u>GN R. 984: Activity 15:</u></b>                  "The clearance of an area of 20 hectares or more of indigenous vegetation"</p>	<p>The proposed 100 MW solar PV facility will have an estimated footprint of approximately 240 - 300 ha. As a result, more than 20 ha of indigenous vegetation could possibly be removed for the construction of the proposed solar PV facility.</p>

**To:**

<p><b><u>GN R. 984: Activity 1:</u></b>                  "The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more"</p>	<p>The proposed project will entail the construction of a 125 MW solar PV facility (i.e., facility for the generation of electricity from a renewable resource). The proposed solar PV facility will be constructed approximately 5 km west of Dealesville within the Tokologo Local Municipality, Free State Province. Hence the proposed project will take place outside of an urban area.</p>
<p><b><u>GN R. 984: Activity 15:</u></b>                  "The clearance of an area of 20 hectares or more of indigenous vegetation"</p>	<p>The proposed 125 MW solar PV facility will have an estimated footprint of approximately 240 - 300 ha. As a result, more than 20 ha of indigenous vegetation could possibly be removed for the construction of the proposed solar PV facility.</p>

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 Commissioner of Games (RSA)  
 Winika du Toit  
 Financial Manager  
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c) Facility name on page 04 of the EA is amended:

**From:**

"21 SG Code:  
Maxwell PV facility"

**To:**

"21 SG Code:  
Ngonyama PV Facility"

d) Details on page 05 of the EA is amended:

**From:**

"for the 100 MW Maxwell PV Solar Facility and its associated infrastructure near Dealesville within the Tokologo Local Municipality in the Free State Province, hereafter referred to as "the property"."

**To:**

"for the 125 MW Ngonyama PV Solar Facility and its associated infrastructure near Dealesville within the Tokologo Local Municipality in the Free State Province, hereafter referred to as "the property"."

e) The heading of the project components list on page 05 is amended:

**From:**

"The 100 MW Maxwell PV Facility will comprise of the following:"

**To:**

"The 125 MW Ngonyama PV Facility will comprise of the following:"

f) Technical Details on page 06 of the EA is amended:

**From:**

Component	Description/ Dimensions
<b>PV Facility</b>	
Capacity	100 MW
PV area	Footprint area: 240-300 ha; Height: 5 m
Number of inverters required	112
Buildings	Footprint area: 1 100m <sup>2</sup> Height: 4 m
Laydown area	Footprint area: 40 000 m <sup>2</sup> = 4 ha;
Roads	Width: 3 – 5 m Length: 13 km

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COMMISSIONER OF OATIS (RSA)

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Wanda du Toit  
Financial Manager  
Ref: RO-03/03/2020  
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15.

Fencing	Electrified security fencing Height: 3 m
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**To:**

Component	Description/ Dimensions
<b>PV Facility</b>	
Capacity	125 MW
PV area	Footprint area: 240-300 ha; Height: 5 m
Number of inverters required	112
Buildings	Footprint area: 1 100m <sup>2</sup> Height: 4 m
Laydown area	Footprint area: 40 000 m <sup>2</sup> = 4 ha;
Roads	Width: 3 – 5 m Length: 13 km
Fencing	Electrified security fencing Height: 3 m

COMMISSIONER OF OATIS (RSA)

*UPat*  
Financial Manager  
Ref: FO-0310/0020  
1 Mount Peak Drive  
Midlands Estate  
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g) Condition 1 on page 06 of the EA is amended:

**From:**

"The 100 MW Maxwell PV solar project and its associated infrastructure near Dealesville within the Tokologo Local Municipality, Free State Province as described above is hereby approved."

**To:**

"The 125 MW Ngonyama PV solar project and its associated infrastructure near Dealesville within the Tokologo Local Municipality, Free State Province as described above is hereby approved."

**Reason for amendments:**

The application for the amendment is motivated as the technology has progressed and has become more efficient since the EA application in 2016. The original design module size was 360 Longi Solar (LR6-72PB-360M) and now the engineers have recommended the new 665 W Canadian Solar (BiHiKu7CS7N-665MB). The increase in power from 360 to 665 Watts is due to the increase in efficiency, an increase in module size and deployment of bifacial technology where energy is absorbed from reflection off the ground to the glass underside of the module. This improved technology allows for the increase of the contracted capacity of the facility from 100MW to 125MW without exceeding the parameters stated in the EA (PV array footprint or maximum height).

This proposed amendment letter must be read in conjunction with the EA dated 05 September 2016, 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.

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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 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 20 (twenty) 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](mailto:appeals@dfef.gov.za)

By hand: Environment House  
473 Steve Biko Road  
Arcadia  
**PRETORIA**  
0083 or

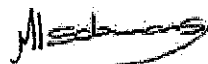
By post: Private Bag X447  
**PRETORIA**  
0001

  
**COMMISSIONER OF GATHS (RSA)**  
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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.dfee.gov.za/documents/forms#legal\\_authorisations](https://www.dfee.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dfef.gov.za](mailto:appeals@dfef.gov.za).

Yours faithfully



**Ms Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 26/07/2022.

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Chief Directorate: Integrated Environmental Authorisations

cc:	Brett Jordaan	Ngonyama Solar (Pty) Ltd	Email: brett@evolution-africa.com
	Modiehi Moeng	FS DARD	Email: moengm@dard.gov.za
	Kabelo Mosepele	Tokologo Local Municipality	Email: kabelomosepele@yahoo.com
	Mark Bleloch	In-house Expert	Email: mbleloch@gmail.com
	Tara Jevon	In-house Environmentalist	Email: jevontara@gmail.com

*Wriet*

COMMISSIONER OF OATYS (COA)

Winnie du Toit

Financial Manager

Ref: RD-03/03/2020

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