



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: 14/12/16/3/3/2/998/AM3

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PER EMAIL / MAIL

Dear Mr de Villiers

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 16 APRIL 2018 FOR THE DEVELOPMENT OF A 300MW SOLAR PV FACILITY ON SEVERAL PORTIONS OF THE FARMS IN THE HANOVER DISTRICT MUNICIPALITY, EMTHANJENI LOCAL MUNICIPALITY, PIXLEY KA SEME DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above-mentioned application by this Department on 16 April 2018, the amendment to the EA dated 24 November 2020, your application for amendment of the EA received by the Department on 13 April 2021 and the acknowledgement letter dated 22 April 2021, 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 16 April 2018 as amended, as follows:

Amendment 1: Amendment to the project description to include the following:

- Containerised Lithium-Ion Battery Storage (30°53'11.77"S; 24°19'57.29"E);
- Containerised back-up dual-fuel generators with a combined generation capacity of less than 10MW and a storage vessel for the storage of fuel for the generators (Liquefied natural and/or diesel) of less than 80m³ (30°52'55.51"S; 24°19'0.47"E).

Reason for amendment:

The original EA process was undertaken in accordance with the published criteria of REIPPPP Bid Window 4. However, the RFP for the risk mitigation IPP procurement programme and Bid Window 5 has additional requirements in terms of generation assurance that necessitates the inclusion of battery storage and gas turbine generation (and associated fuel storage) to ensure the facility can meet its generation mandate irrespective of prevailing weather conditions.

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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 this EA and its amendments, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10-year period, your EA will be deemed to have lapsed and a new application for Environmental Authorisation will have to be lodged.

This proposed amendment letter must be read in conjunction with the EA dated 16 April 2018 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 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 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 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@environment.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.environment.gov.za/documents/forms#legal authorisations](https://www.environment.gov.za/documents/forms#legal%20authorisations) or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



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

Date: 26/08/2021

cc:	Mr Justin Bowers	Ecoleges Environmental Consultants cc	Tel: 083 644 7179/ 082 451 5608	Email: justin@ecoleges.co.za
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