



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: 14/12/16/3/3/2/843/AM2

Enquiries: Mr Kevin Mathebula

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Mr Warren Morse
Mulilo Total Coega (Pty) Ltd
PO Box 548
HOWARD PLACE
7450

Telephone number : (021) 685 3240
Email address : warren@mulilo.com

PER EMAIL / MAIL

Dear Mr Morse

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 19 NOVEMBER 2018 FOR THE 75MW GEMSBOK PV5 SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF PORTION 8 (ROOIDAM) (A PORTION OF PORTION 3) OF THE FARM GEMSBOK BULT FARM NO. 120 AND THE REMAINING EXTENT OF PORTION 3 (ROOIDAM) OF THE FARM GEMSBOK BULT NO. 120 NEAR KENHARDT WITHIN THE KHEIS LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 19 November 2018, the subsequent amendment to the EA dated 19 July 2019, and your application for amendment of the EA received by the Department on 15 April 2021 and the acknowledgement letter dated 21 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 19 November 2018, as follows:

Amendment 1: Amendment of the EA Holder:

(a) The details of the holder of the EA:

"Gemsbok SOLAR PV5 (PTY) LTD

Represented by : Mr Warren Morse
PO Box 50
CAPE TOWN INTERNATIONAL AIRPORT
7525

Tel Number : (021) 934 5268
Email Address : warren@mulilo.com

Is hereby amended to:

"MULILO TOTAL COEGA (PTY) LTD

M.S

Represented by : Mr Warren Morse
PO Box 548
HOWARD PLACE
7450

Telephone Number : (021) 685 3240
Email Address : warren@mulilo.com "

Reason for amendment:

Mulilo Total Coega (Pty) Ltd has acquired from Gemsbok Solar PV5 (Pty) Ltd all of the rights and permits of the project, for the amendment of the holder of the EA, to ensure that the project is compliant with the requirements of the RMIPPPP.

Amendment 2: Amendment of the affected farm property name and the SG Code:

- (b) The property farm reference name in the project title and location of activity on page 1; the property description and the technical details page 6 of the EA:

"Portion 8 of the Gemsbok Bult Farm 120 ..."

Is hereby amended to:

"The Remaining Extent of Portion 8 (Rooidam) (a Portion of Portion 3) of the Farm Gemsbok Bult No. 120; and the Remaining Extent of Portion 3 (Rooidam) of the Farm Gemsbok Bult No. 120..."

- (c) The SG code on page 5 and page 6 of the EA:

"- C0360000000012000008"

Is hereby amended to:

"- C0360000000012000008; and - C0360000000012000003"

Reason for amendment:

The applicant applied for amendment of the farm property reference name with the change of the SG Code to align with the Title Deed, and for the EA to reflect the property details as per the Title Deed.

This amendment letter must be read in conjunction with the EA dated 19 November 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 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.

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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,
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@environment.gov.za.

Yours faithfully



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

Date: 05/05/2021

CC:	Ms S. de la Fontaine	Northern Cape DENC	Email: sdelafontaine@gmail.com
	Mr Scheepers	Kheis Local Municipality	Email: teresascheepers@vodamail.co.za
	Kelly Stroebel	CSIR	Email: kstroebel@csir.co.za / rabed@csir.co.za