



# 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: 14/12/16/3/3/2/2101/AM2

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## PER EMAIL / MAIL

Dear Mr Brambilla

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 23 MAY 2022 FOR THE PROPOSED DEVELOPMENT OF THE VIRGINIA 3 PHOTOVOLTAIC (PV) RENEWABLE ENERGY GENERATION PROJECT AND ITS ASSOCIATED INFRASTRUCTURE NEAR VIRGINIA WITHIN THE MATJHABENG LOCAL MUNICIPALITY, FREE STATE PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 23 May 2022, the amended issued on 13 June 2023, your application for amendment of the EA received by the Department on 03 August 2023 and the acknowledgement letter dated 17 August 2023, 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 **remove** the activity on the EA dated 23 May 2022, as amended as follows:

#### **Amendment 1: Removal of the activity.**

Activity number	Activity description
<u>Listing Notice 1, Item 11:</u> The development of facilities or infrastructure for the transmission and distribution of electricity- (i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.	The on-site substation of the Virginia 3 Solar Park will be a 132kV step-up substation and switching station located outside urban areas or industrial complexes.

#### **Reasons for the above-mentioned amendments:**

The substation no longer forms part of the scope for the Virginia 3 Solar Park. The Virginia 3 Solar Park will connect to the Virginia 1 Solar Park Substation via 33kV cables and then via the 132kV powerline to the Eskom Theseus Substation.

*M.S*

**This proposed amendment letter must be read in conjunction with the EA dated 23 May 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 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@dffe.gov.za](mailto:appeals@dffe.gov.za)

By hand: Environment House  
473 Steve Biko Road  
**ARCADIA**  
0083; or

By post: Private Bag X447  
**PRETORIA**  
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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.dffe.gov.za/documents/forms#legal\\_authorisations](https://www.dffe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully



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

Date: 07/09/2023

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