



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: 14/12/16/3/3/2/954/AM3
Enquiries: Trisha Pillay
Telephone: (012) 399 9406 **E-mail:** TPillay@dfffe.gov.za

Mr Thomas Condessa
FS Orkney (Pty) Ltd
Ground Floor, Sable Corner
15 Bridgeway Road
Bridgeways Precinct
CENTURY CITY
7441

Cell Phone Number: +33 6 22 66 59 32
E-mail Address: Thomas.condessa@energyteam.co.za

PER E-MAIL

Dear Mr Condessa

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 15 JUNE 2017, AS AMENDED, FOR THE 160MW ORKNEY PHOTOVOLTAIC SOLAR ENERGY FACILITY AND THE 92 METER 132kV POWERLINE ON THE REMAINING EXTENT OF PORTION 7 AND THE REMAINING EXTENT OF PORTION 21 OF THE FARM WOLVEHUIS 114 SOUTH-WEST OF THE TOWN OF ORKNEY WITHIN THE CITY OF MATLOSANA LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 15 June 2017, the amendment to the EA dated 15 July 2022, your application for an amendment of the EA received by the Department on 05 July 2023 and the acknowledgement letter dated 13 July 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 amend the EA dated 15 June 2017 as amended, as follows:

Amendment 1: Amendment to the Holder of the EA:

The holder of the EA is hereby amended:

From:

Genesis Orkney Solar (Pty) Ltd

Mr Davin Chown
PO Box 363
Newlands
CAPE TOWN
7725

MS

Cell phone Number: (083) 460 3898

E-mail Address: davin@genesis-eco.com

To:

FS Orkney (Pty) Ltd

Mr Thomas Condesse

Ground Floor, Sable Corner

15 Bridgeway Road

Bridgeways Precinct

CENTURY CITY

7441

Cell phone Number: +33 6 22 66 59 32

E-mail Address: Thomas.condesse@energyteam.co.za

Reason for amendment:

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

Amendment 2: Amendment to increase the total generation capacity of the facility:

The title on the cover letter of the EA is hereby amended:

From:

"APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/984/985 FOR THE 100MW ORKNEY PHOTOVOLTAIC SOLAR ENERGY FACILITY AND THE 92 METER 132KV POWERLINE ON THE REMAINING EXTENT OF PORTION 7 AND REMAINING EXTENT OF PORTION 21 OF THE FARM WOLVEHUIS 114 SOUTH-WEST OF THE TOWN OF ORKNEY WITHIN THE CITY OF MATLOSANA LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE"

To:

"APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/984/985 FOR THE 160MW ORKNEY PHOTOVOLTAIC SOLAR ENERGY FACILITY AND THE 92 METER 132KV POWERLINE ON THE REMAINING EXTENT OF PORTION 7 AND REMAINING EXTENT OF PORTION 21 OF THE FARM WOLVEHUIS 114 SOUTH-WEST OF THE TOWN OF ORKNEY WITHIN THE CITY OF MATLOSANA LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE"

The title of the project on page 01 of the EA is hereby amended:

From:

“Construction of the 100MW Orkney Photovoltaic Solar Energy Facility and the 92 meter 132kV Powerline on the Remaining Extent of Portion 7 and the Remaining Extent Of Portion 21 of the Farm Wolvehuis 114 south-west of the town of Orkney within the Matlosana Local Municipality in the North West Province”

To:

“Construction of the 160MW Orkney Photovoltaic Solar Energy Facility and the 92 meter 132kV Powerline on the Remaining Extent of Portion 7 and the Remaining Extent Of Portion 21 of the Farm Wolvehuis 114 south-west of the town of Orkney within the Matlosana Local Municipality in the North West Province”

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

From:

<p><u>GN R. 325: Activity 1:</u> <i>“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.”</i></p>	<p><i>The total electricity output for the solar farm will be more than 20MW, with a maximum generating capacity of <u>100MW</u>.</i></p>
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To:

<p><u>GN R. 325: Activity 1:</u> <i>“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.”</i></p>	<p><i>The total electricity output for the solar farm will be more than 20MW, with a maximum generating capacity of <u>160MW</u>.</i></p>
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The project description on page 05 of the EA is hereby amended:

From:

“- for the proposed 100MW Orkney Solar Farm and its associated infrastructure located on the Remaining Extent of Portion 7 and Remaining Extent of Portion 21 of the Farm Wolvehuis 114, located approximately 11.8km south west of Orkney within the City of Matlosana Local Municipality and the greater Dr Kenneth Kaunda District Municipality, North West Province, hereafter referred to as “the property”.

The Orkney Solar Power Plant will comprise the following:

- PV Arrays (either with a static or tracking PV system) with a capacity of 100MW.”

To:

“- for the proposed 160MW Orkney Solar Farm and its associated infrastructure located on the Remaining Extent of Portion 7 and Remaining Extent of Portion 21 of the Farm Wolvehuis 114, located approximately 11.8km south west of Orkney within the City of Matlosana Local Municipality and the greater Dr Kenneth Kaunda District Municipality, North West Province, hereafter referred to as “the property”.

The Orkney Solar Power Plant will comprise the following:

- PV Arrays (either with a static or tracking PV system) with a capacity of 160MW."

The technical details for the facility on page 06 of the EA is hereby amended:

From:

Export capacity	Up to 100 MW
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To:

Export capacity	Up to 160 MW
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Condition 01 on page 07 of the EA is hereby amended:

From:

"1. The 100MW Orkney Photovoltaic Solar Energy Facility and the 92 meter 132kV powerline as described above is hereby approved."

To:

"1. The 160MW Orkney Photovoltaic Solar Energy Facility and the 92 meter 132kV powerline as described above is hereby approved."

Reason for amendments:

Solar PV technology has advanced dramatically over the past 05 years with far high efficiency levels than when the Orkney Solar PV Facility was originally proposed. Future rounds of REIPPP have increased the maximum capacity of Solar PV generation facilities from the 100MW cap. The PV panel heights and the development footprint of the PV panels (295ha, as per the EA) will remain the same as those authorised.

This proposed amendment letter must be read in conjunction with the EA dated 15 June 2017, 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 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@dfre.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.dfre.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfre.gov.za.

Yours faithfully



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

Date: 08/08/2023

cc:	Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahsa.com
	Ouma Skosana	North West Department of Economic Development, Environment, Conservation and Tourism (DEDECT)	Email: oskosana@nwpg.gov.za
	J Masilo	City of Matlosana Local Municipality	Email: jmasilo@klerksdorp.org

M.S