

# Naledi PV Proprietary Limited

Registration Number: 2020/082951/07

Address: 3 Kiepersol Close, Plattekloof, Cape Town, Western Cape, 7500

07 August 2020

To Whom it May Concern

REFERENCE: 14/12/16/3/3/1/2202

**RE: NEW APPLICATION AND DRAFT BASIC ASSESSMENT REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A BASIC ASSESSMENT PROCESS FOR THE DEVELOPMENT OF THE NALEDI PHOTOVOLTAIC FACILITY AND ITS ASSOCIATED INFRASTRUCTURE**

Please note that the Company (Naledi PV (Pty) Ltd) submitted an application form to the Department of Environmental Affairs on or about 8 July 2020. The Application form was signed by Mr. Anthony de Graaf in his capacity and duly authorized designation as a Director of the Company.

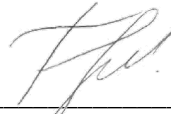
We, the only two Directors of the Company, confirm that Mr. Anthony de Graaf is mandated and authorized to sign application forms on behalf of the company.

Kind regards



Anthony de Graaf

Director



Federico Zanotta Rizzo

Director

**LAND OPTION AGREEMENT**

made and entered into by and between:

**NALEDI PV**

Registration Number 2020/082951/07

(hereinafter referred to as "**the Developer**")

and

**KHI CSP SOUTH AFRICA (PTY) LTD**

Registration Number 2010/006097/07

(hereinafter referred to as "**the Landowner**")

21. COSTS

Each Party shall bear its own costs of and incidental to the preparation of this Agreement (including prior drafts and consultations).

DATED at CAPE TOWN on this 5th day of JUNE 2020 ~~2019~~

AS WITNESSES:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

For and on behalf of:

**NALEDI PV**

Director, he being duly authorised hereto

Director, he being duly authorised hereto

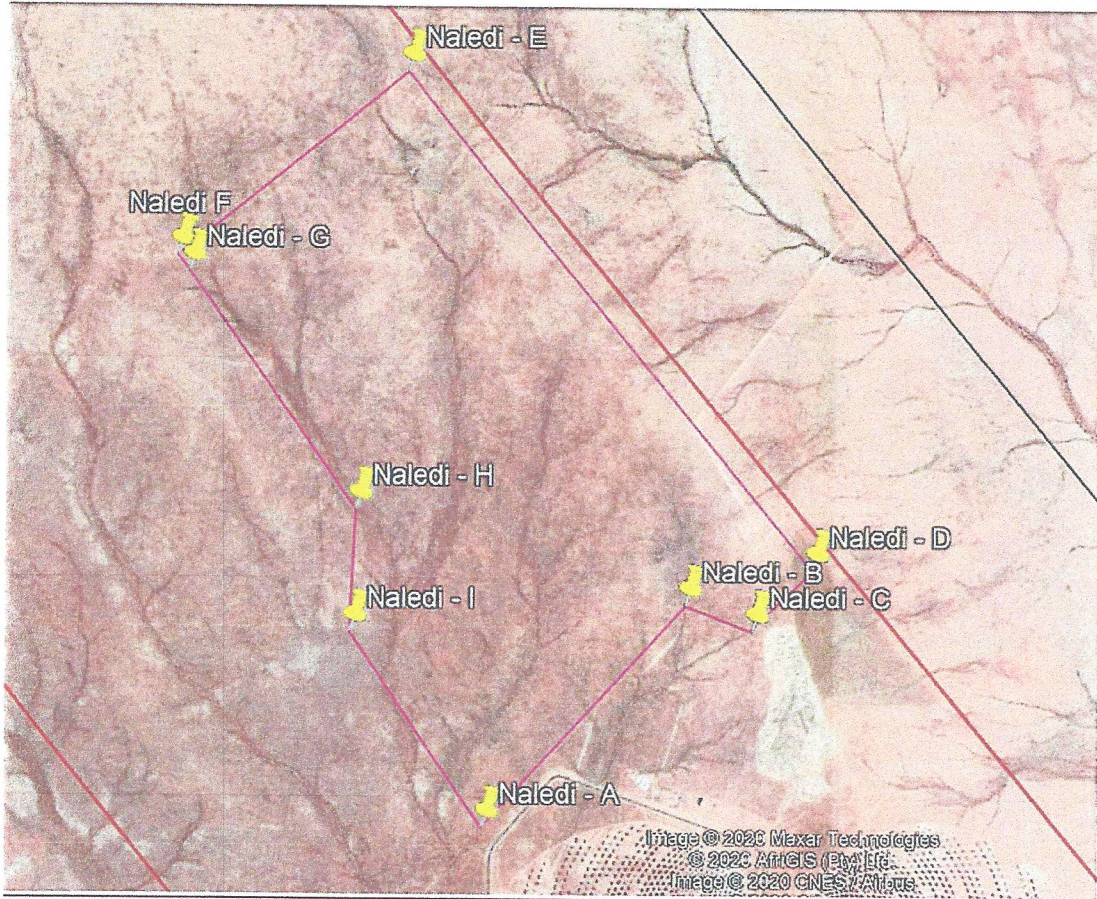
DATED at CAPE TOWN on this 5th day of JUNE 2020 ~~2019~~

AS WITNESSES:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

**KHI CSP SOUTH AFRICA** – who warrants that he is duly authorised

**KHI CSP SOUTH AFRICA** – who warrants that he is duly authorised

PROJECT SITE (Naledi)Project Site co-ordinates: measuring 352 hectares

Label	Latitude	Longitude
A	28°31'56.58"S	21° 3'55.00"E
B	28°31'27.54"S	21° 4'25.20"E
C	28°31'30.94"S	21° 4'35.22"E
D	28°31'22.92"S	21° 4'44.23"E
E	28°30'18.67"S	21° 3'43.57"E
F	28°30'42.38"S	21° 3'9.17"E
G	28°30'44.43"S	21° 3'10.89"E
H	28°31'15.17"S	21° 3'35.91"E
I	28°31'31.15"S	21° 3'35.02"E
J		

#  
TDm

Date: 3 July 2020

Department of Environmental Affairs  
Environment House,  
473 Steve Biko Road,  
Arcadia,  
Pretoria,  
0001

**Attention:** Chief Director: Integrated Environmental Authorisations

**BASIC ASSESSMENT PROCESSES FOR THE DEVELOPMENT OF TWO SOLAR PV ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE KNOWN AS NALEDI PV AND NGWEDI PV, NEAR UPINGTON, IN THE NORTHERN CAPE PROVINCE (DEFF Ref: still to be allocated).**

To whom it may concern,

This letter serves as record and confirmation of appointment of Savannah Environmental (Pty) Ltd as Environmental Assessment Practitioner and relevant specialist consultants for the two solar photovoltaic Basic Assessments currently in process, on the 28<sup>th</sup> of February 2020. Importantly, this letter also serves as confirmation of the appointment and commencement of the following specialist studies for this project:

- Simon Todd and Eric Hermann of 3Foxes Biodiversity Solutions
- Dr. Brian Colloty of EnviroSci
- Marine Pienaar of TerraAfrika
- Jenna Lavin of Cedar Tower Services
- Jon Marshall of Environmental Planning and Design
- Lisa Opperman of Savannah Environmental and Dr Neville Bews of Dr Neville Bews & Associates

This letter is supplied as proof of appointment and commissioning of the above-mentioned Basic Assessment processes prior to the implementation date (09 May 2020) of the gazetted specialist protocols (GNR 320, 20 March 2020). The specialist studies have therefore been undertaken in accordance with Appendix 6 of the 2014 EIA Regulations, as amended, as per the IQ query response (reference: "IQ/20/0242: RETRACTION: IQ/20/0140: Specialist protocols query") dated 2 July 2020, and attached to this letter.



Atlantic Renewable Energy Partners (Pty) Ltd  
Reg 2014/078624/07

101 Block A, West Quay Building  
7 West Quay Road  
Waterfront, 8001

Kind regards,

A handwritten signature in black ink, appearing to read "Anthony De Graaf".

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**Anthony De Graaf**

Director

Atlantic Renewable Energy Partners (Pty) Ltd

Contact person: Mr Peter Smith

Tel: 021 418 2596

Cell: 082 300 6497

E-mail: [peter@atlanticep.com](mailto:peter@atlanticep.com)

## Lisa Opperman

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**From:** Gideon Raath  
**Sent:** Friday, July 3, 2020 11:51 AM  
**To:** Arlene Singh; Lisa Opperman  
**Subject:** FW: IQ/20/0242: RETRACTION: IQ/20/0140: Specialist protocols query  
**Attachments:** Raumix Aggregates (Pty) Ltd v Richter Sand CC and Another (Oct 2019) - P....pdf  
**Importance:** High

### Gideon Raath

Environmental and Permitting Consultant | Savannah Environmental (Pty) Ltd  
Tel: +27 (0)11 656 3237 | Cell: +27 (0)72 194 3644 | Fax: +27 (0)86 684 0547

[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

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**From:** IQ <IQ@environment.gov.za>  
**Sent:** Thursday, 02 July 2020 09:20  
**To:** Gideon Raath <gideon@savannahsa.com>  
**Cc:** EIAAdmin <EIAAdmin@environment.gov.za>; Betty Mdala <BMdala@environment.gov.za>; Alvan Gabriel <agabriel@environment.gov.za>; Dr Dee Fischer <DFischer@environment.gov.za>; Franz Scheepers <FScheepers@environment.gov.za>; Milicent Solomons <MSolomons@environment.gov.za>; Vusi Skosana <VSkosana@environment.gov.za>; Amanda Van Reenen <avanreenen@environment.gov.za>  
**Subject:** IQ/20/0242: RETRACTION: IQ/20/0140: Specialist protocols query  
**Importance:** High

Dear Gideon

Please note that, upon discussions with the Department's Directorate: Legal Support - NEMA and having taken into account the attached judgment and also having given due consideration to the effect of the national lockdown announced on 27 March 2020, the previous response to your query (IQ/20/0140, dated 21 May 2020) is herewith withdrawn.

It is the Department's view that, irrespective of whether an application has been submitted or not, before 9 May 2020 - if the specialist assessment affected by any of the protocols was commissioned before 9 May 2020, then the applicant is allowed to continue and submit documents for decision-making, which do not need to comply with the requirements of the protocols. Proof that the specialist work was outsourced before 9 May 2020, is deemed to be sufficient to allow this, on a case by case basis and you are strongly advised to liaise with the relevant competent authority in this regard.

For the DEFF, kindly contact [EIAAdmin@environment.gov.za](mailto:EIAAdmin@environment.gov.za) for further guidance.

Regards  
Chantal Engelbrecht

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**From:** IQ  
**Sent:** Thursday, 21 May 2020 21:08  
**To:** 'Gideon Raath' <gideon@savannahsa.com>  
**Cc:** EIAAdmin <EIAAdmin@environment.gov.za>; Betty Mdala <BMdala@environment.gov.za>; Alvan Gabriel <agabriel@environment.gov.za>; Dr Dee Fischer <DFischer@environment.gov.za>  
**Subject:** IQ/20/0140: Specialist protocols query

Dear Gideon,

Please find highlighted in yellow the responses to your query, as provided by Mr Gabriel.

Should you have any queries regarding the implementation of GNR 320, please do not hesitate to contact Alvan Gabriel ([agabriel@environment.gov.za](mailto:agabriel@environment.gov.za)) or Dr Dee Fischer ([dfischer@environment.gov.za](mailto:dfischer@environment.gov.za))

Regards

Betty Mdala  
Department of Environment, Forestry and Fisheries  
Directorate: IEA: IEM Capacity & Support  
Email: [BMdala@environment.gov.za](mailto:BMdala@environment.gov.za)  
Website: <http://www.environment.gov.za>

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**From:** Gideon Raath [<mailto:gideon@savannahsa.com>]  
**Sent:** Friday, 24 April 2020 12:19  
**To:** IQ <[IQ@environment.gov.za](mailto:IQ@environment.gov.za)>; Chantal Engelbrecht <[CEngelbrecht@environment.gov.za](mailto:CEngelbrecht@environment.gov.za)>; Franz Scheepers <[FScheepers@environment.gov.za](mailto:FScheepers@environment.gov.za)>  
**Cc:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>; Karen Jodas <[karen@savannahsa.com](mailto:karen@savannahsa.com)>; Ethanne Soar <[Ethanne@savannahsa.com](mailto:Ethanne@savannahsa.com)>; Lisa Opperman <[lisa.o@savannahsa.com](mailto:lisa.o@savannahsa.com)>  
**Subject:** Specialist protocols query

Good day IQ, Chantal and Franz,

We are hoping to gain some clarity around the transitional arrangements applicable to the gazetted protocols for specialist studies (attached):

- For processes that are ongoing, are there any transitions envisaged, or is it simply all before and all after the 50 day kick-in date that applies? The specialist assessment must meet the requirements of the protocols after 9 May 2020. On application for an EA post 9 May 2020, should these requirements not be met, an application would be incomplete and the requirements would need to be met. It is important that proponents engage with competent authorities prior to submitting these applications to ensure that proponents are proceeding appropriately.
- Secondly, at what point or step in the process is the 50 day kick in relevant to – i.e. to the date of fieldwork conducted for specialist, or the date of the application form submission, for example? From 9 May 2020 the protocols will apply - any parts which are deficient will need to be done to fulfil the requirements of the protocols.

Thanks,





**Gideon Raath**  
Environmental & Permitting Consultant

t: +27 (0) 11 656 3237  
f: +27 (0) 86 684 0547

e: [gideon@savannahsa.com](mailto:gideon@savannahsa.com)  
c: +27 (0) 72 194 3644

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## Reuben Maroga

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**From:** Lisa Opperman  
**Sent:** Wednesday, 22 July 2020 11:53  
**To:** Julliet Mahlangu  
**Cc:** Jo-Anne Thomas; Federico Zanotta Rizzo; Peter Smith  
**Subject:** RE: 14/12/16/3/3/1/2202  
**Attachments:** Naledi - Disclosure certificate.pdf; Ngwedi - disclosure certificate.pdf; 20200218 Ngwedi PV Share Register.pdf; 20200218 Naledi PV Share Register.pdf

Good morning Julliet,

Thank you for the email.

Just for your information, AEP own 50% of the project SPV's and Abengoa own 50%. Mr Anthony de Graaf is a director (together with Mr Federico Zanotta Rizzo) of the company.

I have attached for your consideration the company disclosure certificates.

We will also include a letter in the final BA report as per your request below.

Please let me know should you have any further queries in this regard.

Kind regards  
Lisa

**Lisa Opperman**

Environmental Consultant | Savannah Environmental (Pty) Ltd  
Tel: +27 (0)11 656 3237 | Fax: +27 (0)86 684 0547

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**From:** Julliet Mahlangu <JMMahlangu@environment.gov.za>  
**Sent:** Wednesday, July 22, 2020 10:13 AM  
**To:** Lisa Opperman <lisa.o@savannahsa.com>  
**Cc:** Jo-Anne Thomas <joanne@savannahsa.com>; Federico Zanotta Rizzo <federico.zanotta@abengoa.com>; Peter Smith <peter@atlanticep.com>  
**Subject:** Re: 14/12/16/3/3/1/2202

Good Morning

Apologies for the late response.

The letter must be included in the final report. The report is currently been reviewed

Also a letter from abengoa stating he is authorized to sign on behalf of Naledi.

Regards

Julliet

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**From:** Lisa Opperman <[lisa.o@savannahsa.com](mailto:lisa.o@savannahsa.com)>  
**Sent:** 17 July 2020 11:10 AM  
**To:** Julliet Mahlangu  
**Cc:** Jo-Anne Thomas; Federico Zanotta Rizzo; Peter Smith  
**Subject:** FW: 14/12/16/3/3/1/2202

Dear Julliet,

Thank you for the email below. Your request for the letter is acknowledged.

Please can you advise whether you need a formal Power of Attorney or just a letter from Abengoa stating that they authorise Mr De Graaf to sign on behalf of Naledi PV (Pty) Ltd (which is the SPV under Abengoa).

Also just to confirm, my understanding is that you require the letter now to process the application and that the same letter must be submitted to the case officer as part of the final Basic Assessment Report

I look forward to hearing from you.

Kind regards  
Lisa

**Lisa Opperman**  
Environmental Consultant | Savannah Environmental (Pty) Ltd  
Tel: +27 (0)11 656 3237 | Fax: +27 (0)86 684 0547  
[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

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**From:** Julliet Mahlangu <[JMMahlangu@environment.gov.za](mailto:JMMahlangu@environment.gov.za)>  
**Sent:** Wednesday, July 15, 2020 6:53 AM  
**To:** [joanne@savannahsa.com](mailto:joanne@savannahsa.com); Federico Zanotta Rizzo <[federico.zanotta@abengoa.com](mailto:federico.zanotta@abengoa.com)>  
**Cc:** Ephron Maradwa <[EMaradwa@environment.gov.za](mailto:EMaradwa@environment.gov.za)>  
**Subject:** 14/12/16/3/3/1/2202

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Dear Ms Thomas

14/12/16/3/3/1/2202

**ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION AND DRAFT BASIC ASSESSMENT REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A BASIC ASSESSMENT PROCESS FOR THE DEVELOPMENT OF THE NALEDI PHOTOVOLTAIC FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON A SITE NEAR UPINGTON, NORTHERN CAPE PROVINCE.**

The Department confirms having received the Application form and draft Basic Assessment Report for Environmental Authorisation for the abovementioned project on 08 July 2020. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.

Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 2 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 19 of the EIA Regulations, 2014 as amended.

Please note that for the Department to be able to process your application for Environmental Authorisation, you are requested to submit the following additional information:

- Confirmation or a letter stating that MR Anthony DC Graaf is duly authorised or mandated to sign the application forms on behalf Naledi PV (Pty) Ltd;

The outstanding information must be submitted with the final Basic Assessment Report. Failure to provide the abovementioned information will result in your application for Environmental Authorisation being refused.

Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but **must** be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.

Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

**Kindly quote the abovementioned reference number in any future correspondence in respect of the application.**

Yours in admin

EIA Applications

Integrated Environmental Authorisations

Department of Environment, Forestry and Fisheries

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