



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: 14/12/16/3/3/2/495/AM6

Enquiries: Ms Bathandwa Ncube

Telephone: (012) 399 9368 **E-mail:** BNcube@environment.gov.za

Mr Warren Morse
Hoekplaas Solar PV Four (Pty) Ltd
PO Box 548
Howard Place
CAPE TOWN
7450

Telephone Number : 021 685 3240
Cellphone Number : 083 760 9586
Email Address : warren@mulilo.com

PER EMAIL / MAIL

Dear Mr Morse

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 09 JULY 2014 FOR THE PROPOSED 75MW PHOTOVOLTAIC ENERGY PLANT ON THE FARM HOEKPLAAS NO. 146 NEAR COPPERTON WITHIN THE SIYATHEMBA LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 09 July 2014, EA subsequent amendments issued on 10 October 2014, 25 April 2016, 06 April 2017, 09 July 2020, 20 April 2021, and your application for amendment of the EA received by the Department on 11 August 2021, and the acknowledgement dated 19 August 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 09 July 2014, as follows:

Amendment: Inclusion of SKA Condition in EA:

The following condition is added to the "specific conditions" section of the EA:

"Prior to construction taking place, appropriate Electromagnetic Interference (EMI) studies must be conducted by the applicant, Hoekplaas PV Four (Pty) Ltd or appropriate third parties engaged with by Hoekplaas PV Four (Pty) Ltd to the satisfaction of the SKA Project Office in order to mitigate all risk of Electromagnetic Interference on the SKA. The mitigation of all risk associated with radio frequency interference on the SKA must be confirmed by measurement following construction to the satisfaction of the SKA Office. Should the risk of radio interference still exist, based on measurements, further mitigation methods must be implemented to remove outstanding risk of radio frequency interference."

M

Reason for amendment:

Following the Environmental Authorisation dated 09 July 2014 (DFFE Ref: 14/12/16/3/3/2/495), the then EA holder – Mulilo Renewable Energy – received a letter on 18 July 2014 from the Square Kilometres Array Project Office (SKAPO). In the letter SKAPO requests that an amendment be made under the specific conditions section of the EA to include the above condition. The clause added to the EA remains the same as proposed in the letter from SKAPO, except that “Mulilo Renewable Energy”, is replaced with the existing EA holder Hoekplaas Solar PV Four (Pty) Ltd.

This proposed amendment letter must be read in conjunction with the EA dated 09 July 2014, 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 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 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.

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 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: 09/09/2021

cc:	Annelize Grobler	Landscape Dynamics Environmental Consultants (Pty) Ltd	E-mail: info@landscapedynamics.co.za
-----	------------------	--	--

M.S