



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: 14/12/16/3/3/2/873/AM1

Enquiries: Ms Juliet Mahlangu

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Mr Matteo Brambilla
Cyracraft (Pty) Ltd
Private Bag X3
Post net Suite 150
Roggebaai
CAPE TOWN
8012

Telephone Number: (021) 418 3940
Email: m.logan@redrocket.energy

PER EMAIL / MAIL

Dear Mr Brambilla

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 22 SEPTEMBER 2016 FOR THE CONSTRUCTION OF THE PROPOSED SOL INVICTUS 1 PV SOLAR FACILITY AND ITS ASSOCIATED INFRASTRUCTURE, SOUTH WEST OF AGGENEYS, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 22 September 2016, your application for amendment to the EA received by this Department on 22 September 2021 and the acknowledgment letter dated 04 October 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 22 September 2016 as amended, as follows:

Amendment 1. Change in contact person details

From:

*"Mr Paolo Fagnoli
Cyracraft (Pty) Ltd
Unit B103A, The Piazza
72 Waterkant Street
CAPE TOWN
8001*

*Tel:(021) 418 3940
Email: p.fagnoli@buildingenergy.it "*

To:

"Mr Matteo Brambilla

M.S.

Cyracraft (Pty) Ltd
Private Bag X3
Postnet Suite 150
Roggebaai
CAPE TOWN
8012

Tel: (021) 418 3940

Email: m.logan@redrocket.energy

Reasons for amendment:

The applicant contact details have changed and this needs to be reflected in the Environmental Authorisation.

Amendment 2: Extension of the validity of the Environmental Authorisation:

Condition 8 of the EA dated 22 September 2016, as amended, is thus amended as follows:

"The activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the authorisation lapses on 22 September 2026). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken"

Reasons for amendment:

The Developer is requesting to amend and extend the validity of the commencement of activities from five (05) years to ten (10) years from the date of issue of this environmental authorisation. This will ensure that the EA remains valid for the undertaking of the authorised activities such that the project can be bid into future bidding rounds of the REIPPPP or similar programme.

The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10-year period, your EA will be deemed to have lapsed and a new application for Environmental Authorisation will have to be lodged.

This proposed amendment letter must be read in conjunction with the EA dated 22 September 2016 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.

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: 14/10/2021

cc:	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	E-mail: loanne@savannahaa.com
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M.S