



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: 14/12/16/3/3/2/2144/AM1
Enquiries: Ms. Olivia Letlalo
Telephone: (012) 399 8815 **E-mail:** oletlalo@dfef.gov.za

Mr Unai Bravo Urtasun
San Solar Energy Facility (Pty) Ltd
Unit 1501, 15th Floor
Portside Building, 4 Bree Street
CAPE TOWN
8001

Telephone Number: (021) 912 5309
Cell Number: 071 429 8010
Email Address: unai.bravo.urtasun@acciona.com

PER MAIL / E-MAIL

Dear Mr. Urtasun

AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED ON 06 DECEMBER 2022 FOR THE PROPOSED SAN SOLAR PHOTOVOLTAIC (PV) FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR KATHU, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Competent Authority (CA) on 06 December 2022, your application for amendment of the EA received by the CA on 23 June 2023 and acknowledged on 03 July 2023, refer.

Based on a review of the reason for requesting an amendment to the above EA, this CA in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 06 December 2022, as follows:

Amendment 1: To amend the authorised BESS footprint from 1ha to 4ha on page 8 of the EA

From:

Battery Energy Storage System (BESS)	<ul style="list-style-type: none">• Approximately <u>1ha</u> in extent.• The BESS facility proposes to use solid-state technology as a preferred technology
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To:

Battery Energy Storage System (BESS)	<ul style="list-style-type: none">• Approximately <u>4ha</u> in extent.• The BESS facility proposes to use solid-state technology as a preferred technology
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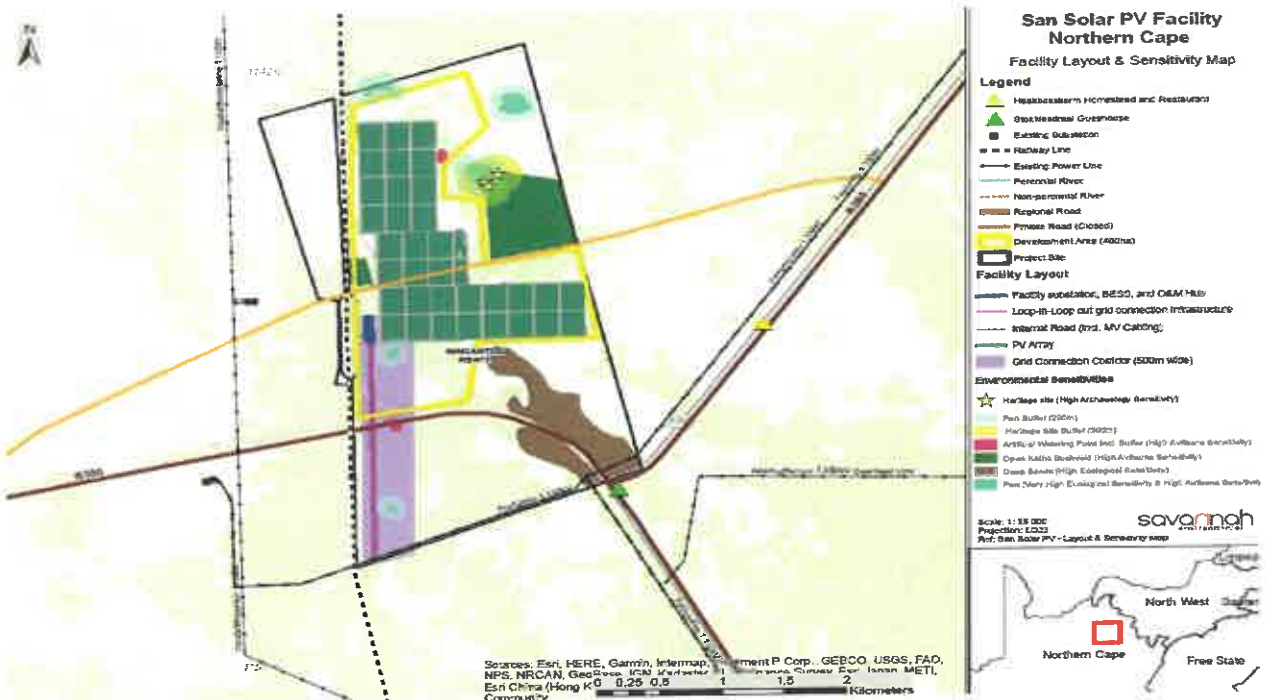
M.S

Reason for the abovementioned amendment

The Applicant applied for an amendment to increase the footprint of the BESS from 1ha to 4ha to comply with the Department of Mineral Resources and Energy (DMRE) BESS Procurement Programme. The revised BESS location will be in an area assessed during the EIA stage of the project, prior to an EA being issued, would not increase the level of impacts, would not trigger additional listed activity and will be within a low sensitive area.

Amendment 2: To relocate the BESS location within the assessed and authorised 400ha development area

From:



To:

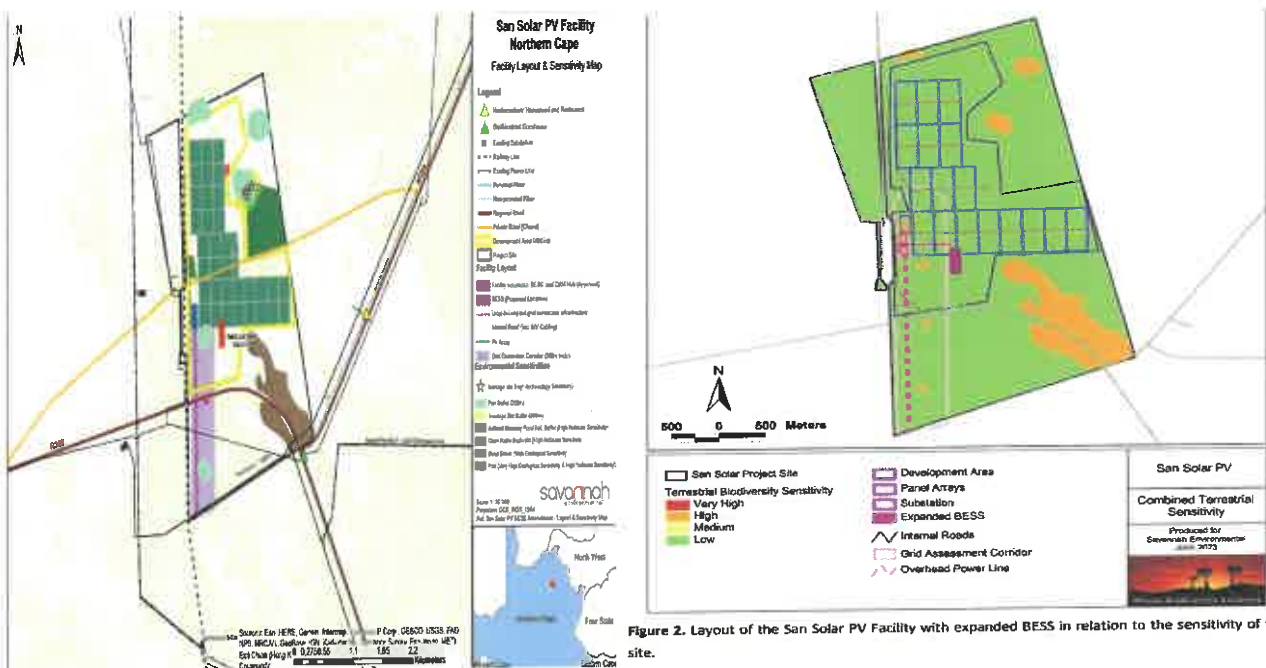


Figure 2. Layout of the San Solar PV Facility with expanded BESS in relation to the sensitivity of the site.

M.S

Reason for the abovementioned amendment

The Applicant applied for an amendment to relocate the BESS within the authorised development area of the San Solar PV facility (400ha). The revised BESS location will be in an area assessed during the EIA stage of the project, prior to an EA being issued, would not increase the level of impacts, would not trigger additional listed activity and will be within a low sensitive area.

Amendment 3: To correct the name of the holder on page 2 of the EA

From:

SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD

To:

SAN SOLAR ENERGY FACILITY (PTY) LTD

Reason for the amendment

The name of the SPV/project company in which the EA was issued, and the details included on Page 2 of the EA do not match. The erroneous inclusion of the reference to South Africa Mainstream Renewable Power Developments (Pty) Ltd is to be corrected to San Solar Energy Facility Pty Ltd.

This proposed amendment letter must be read in conjunction with the EA dated 06 December 2022.

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 fourteen (14) 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 EIA Regulations.

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.

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 twenty (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: appealsdirectorate@dffe.gov.za

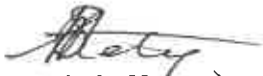
By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appealsdirectorate@dffe.gov.za.

Yours faithfully



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

Date: 19/07/2023

cc:	Bryan Fisher	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform	Tel: 053 807 7431 Cell: 083 270 8323	Email: Bfisher@ncpg.gov.za
	Itumeleng Clement Thusoen	Gamagara Local Municipality	Tel: 053 723 6000	Email: clement@gamagara.gov.za
	Karen Jodas	Savannah Environmental (Pty) Ltd	Tel: 011 656 3237	Email: karen@savannahsa.com