



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DEFF Reference: 14/12/16/3/3/2/705/AM2

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Mr Jan Fourie
Dyasonsklip Solar Energy Facility 1 (Pty) Ltd
1 Dock Road
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Waterway House
V&A Waterfront
CAPE TOWN
8002

Telephone Number: (021) 202 1230
Email Address: jan.fourie@scatecsolar.com

PER EMAIL / MAIL

Dear Mr Fourie

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 03 SEPTEMBER 2015 (AS AMENDED) FOR THE CONSTRUCTION OF THE 100MW DYASONSKLIP SOLAR ENERGY FACILITY 1 ON THE REMAINDER OF THE FARM DYASON'S KLIP 454 NEAR UPINGTON WITHIN THE KAI IGARIB LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 03 September 2015, the amendment to the EA dated 20 March 2020, your application for amendment of the EA received by the Department on 08 September 2020, the acknowledgement letter dated 15 September 2020, the comments on the draft amendment motivation report dated 22 September 2020 and the final motivation report received on 21 October 2020, 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 03 September 2015 as amended, as follows:

Amendment 1: Amendment to the project description to include Battery Energy Storage into the EA:

The following is added to the infrastructure associated with the facility on page 06 and 07 of the EA:

"A Battery Energy Storage System with a footprint of up to 4 hectares."

The following is added to the table of the technical details for the proposed facility on page 07 of the EA:

Capacity of Battery Energy Storage System	Up to 400 Megawatt Hours
Footprint of Battery Energy Storage System	Up to 4 hectares

Reason for amendment:

The applicant applied to add a Battery Energy Storage System to the facility in order to provide dispatchable energy (energy on demand) and at a reliable capacity.

Amendment 2: Amendment to the property description:

The location of the activity on page 01 of the EA is amended:

From:

*"Remainder of the Farm 454 Dyasonsklip
Kai! Garib Local Municipality
ZF Mgcawu District Municipality
Northern Cape Province"*

To:

*"Remainder of the Farm 454 Dyason's Klip
Kai! Garib Local Municipality
ZF Mgcawu District Municipality
Northern Cape Province"*

The project description on page 06 of the EA is amended:

From:

"for the proposed 100MW Dyasonsklip Solar Energy Facility 1 and its associated infrastructure on the Remainder of the Farm Dyasonsklip 454, Gordonia RD within Kai! Garib Local Municipality in the Northern Cape Province, hereafter referred to as "the property"

To:

"for the proposed 100MW Dyasonsklip Solar Energy Facility 1 and its associated infrastructure on Remainder of the Farm 454 Dyason's Klip, near Upington and Keimoes, Northern Cape Province, hereafter referred to as "the property"

The location of the site in the technical details of the proposed facility table on page 07 of the EA is amended:

From:

"Remainder of the Farm Dyasonsklip 454, is located in the ZF Mgcawu district of the Northern Cape Province, within the jurisdiction of the Kai !Garib Local Municipality. The property is located approximately 22km southwest of Upington and 15km northeast of Keimoes."

To:

"Remainder of the Farm Dyason's Klip 454, is located in the ZF Mgcawu district of the Northern Cape Province, within the jurisdiction of the Kai !Garib Local Municipality. The property is located approximately 22km southwest of Upington and 15km northeast of Keimoes."

Condition 1 on Page 08 of the EA is amended:

From:

"The construction of the 100MW Dyasonsklip Solar Energy Facility 1 on the Remainder of the Farm Dyasonsklip 454 near Upington within the Kail Garib Hills Local Municipality in the Northern Cape province as approved as per the above geographic coordinates."

To:

"The construction of the 100MW Dyasonsklip Solar Energy Facility 1 on the Remainder of the Farm Dyason's Klip 454 near Upington within the Kail Garib Local Municipality in the Northern Cape province as approved as per the above geographic coordinates."

Reason for amendment:

The applicant applied to correct the farm name, to align the spelling of the farm name with the title deed.

This proposed amendment letter must be read in conjunction with the EA dated 03 September 2015 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 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 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 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 Environment, Forestry and Fisheries

Date: ~~22/02~~ 18/02/2021


cc:	Mr Dale Hoeder	Cape Environmental Assessment Practitioners (Cape EAPrac)	E-mail: dale@cape-eaprac.co.za
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