



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: 14/12/16/3/3/2/852/AM6

Enquiries: Ms Sindiswa Dlomo

Telephone: (012) 399 9390 **E-mail:** Sdlomo@dfpe.gov.za

Mr. Sachin Thakurpersad
Ib vogt SA (Pty) Ltd
54 Maxwell Drive
WOODMEAD
Johannesburg
2191

Telephone Number: 083 500 1123

Email Address: sachin.thakurpersad@ibvogt.com

PER MAIL / EMAIL

Dear Mr Thakurpersad

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 05 SEPTEMBER 2016 FOR THE PROPOSED 140 MW NGONYAMA PV SOLAR FACILITY NEAR DEALESVILLE IN THE TOKOLOGO MUNICIPALITY, FREE STATE PROVINCE.

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 05 September 2016, the amendments to the environmental authorisation dated 13 July 2021, 28 March 2022, and 26 July 2022 respectively, the application for amendment of the EA received by the Department for amendments dated 13 February 2023, and the acknowledgement letter dated 22 February 2023, 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 05 September 2016, as follows:

Amendment 1: Change references to project megawatt capacity:

From:

125 MW Capacity

To:

140 MW Capacity

Reason for the amendment:

The Applicant (Ib vogt SA (Pty) Ltd) has acquired this project from the previous proponent and has submitted it to the (extended) Bidding Window 6 of the Renewable Energy Independent Power Producer Procurement Programme (REIPPPP), and the project is said to be in a position to potentially be selected as a preferred bidder in the REIPPPP as the 140 MW Ngonyama Solar PV development (REIPPPP reference: RE_PV_0053_008).

The increase in MW capacity (125 MW to 140 MW) does not entail a change in the listed activities or land portions which are authorised for the proposed development, and all environmental sensitives earmarked for avoidance will still be avoided. The MW increase will be achieved through a combination of technological advancements as well as reclaiming some PV areas from the adjacent Umkhombe (Faraday) PV project. The Environmental Management Programme (EMPr) and final layout to accommodate the 140 MW Ngonyama PV project still need to be subject to a Public Participation Process and final approval by the Department, as per conditions 14 and 16 in the EA, before project commencement.

Amendment 2: Change the contact person on page 2 of the EA

From:

Mr Daniel Palm
Ngonyama Solar (Pty) Ltd.
15a Greenacres Road,
Constantia,
Cape Town
7806

Telephone Number: (071) 482 1315
Email Address: dan@evolution-africa.com / Dan@moshesh.partners

To:

Mr. Sachin Thakurpersad
Ib vogt SA (Pty) Ltd
54 Maxwell Drive
WOODMEAD
Johannesburg
2191

Telephone Number: 083 500 1123
Email Address: sachin.thakurpersad@ibvogt.com

The reason for the amendment:

The purpose of the requested amendment is to align the project description and applicant contact details with the details put forward to the Independent Power Producer Office.

This EA amendment letter must be read in conjunction with the EA dated 05 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 decision, 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@dfpe.gov.za;

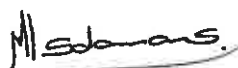
By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,

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@dfpe.gov.za.

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 22/03/2023.

c:	Paul Lochner	Council for Scientific and Industrial Research (CSIR)	plochner@csir.co.za
----	--------------	---	--



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, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +86 625 1042

Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dfpe.gov.za

Ms. Milicent Solomons
Director: Priority Infrastructure Projects

Dear Ms. Solomons

APPOINTMENT AS CHIEF DIRECTOR: INTERGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 01 MARCH UNTIL 31 MARCH 2023

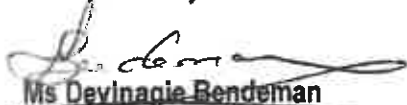
I hereby inform you that I have decided to appoint you as Acting Chief Director: Intergrated Environmental Authorisations from 01 March until 31 March 2023.

All correspondence and other documents that are usually signed by the Chief Director: Intergrated Environmental Authorisations during must be signed under Acting Chief Director: Intergrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1998), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours Sincerely


Ms. Devinagie Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

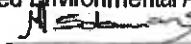
Date: 22 February 2023



Batho pele - putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief Director:
Intergrated Environmental Authorisations
Signed: 

Date: 27/02/2023