



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: 14/12/16/3/3/2/382/4/AM4

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Dr Gideon Greyvenstein
Ukuqala Solar (Pty) Ltd
PO Box 66004
HIGHVELD
0169

Telephone Number: 012 667 4331
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PER EMAIL / MAIL

Dear Dr Greyvenstein

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JULY 2013 AS AMENDED, FOR THE PROPOSED CONSTRUCTION OF A 75MW PHOTOVOLTAIC SOLAR ENERGY FACILITY ON PORTION E OF THE FARM VETLAAGTE 4, DE AAR, NORTHERN CAPE PROVINCE.

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 19 July 2013, The EA amendments dated 8 July 2014, 31 July 2014, 25 September 2015, 6 November 2015 & 28 June 2018, your application for amendment of the EA received by the Department on , 08 June 2023 and the additional information received on 14 September 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 19 July 2013 as amended, as follows:

Amendment 1: Amendment to extend the validity period of the EA:

"The activity must commence within a period of Thirteen (13) years from the date of expiry of the EA issued on 19 July 2013 (i.e., the EA lapses on 19 July 2026). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for the environmental authorisation must be made for the activity to be undertaken."

Reason for amendment:

The extension of the validity of the EA is required, because the Ukuqala Solar PV project has been jointly developed by Air Products South Africa and Mulilo Renewable Project Developments, to supply power to Air Products production facilities. If the EA is not extended the EA will lapse and a new application for Environmental

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Authorisation will have to be made. This will have severe time and cost implications. None of the positive impacts of evacuating renewable energy into the national grid will be realised.

Amendment 2: Amendment to the project description under the infrastructure associated with this facility as follows:

From:

"The infrastructure associated with this facility includes:

- A new power line with a capacity of 132kV, linking the solar power generation facilities to the existing Eskom Hydra Substation.
- A new short 132kV power line linking the power generation facilities on Portions F and G to the proposed new 132kV line.
- Substations on Portions E, which will connect to either the existing 132kV power lines or the proposed new 132kV power line.
- Switching stations (SS) with transformers next to the substations, which will connect the solar facilities to the different substations.
- Cabling between the PV/TPV panels and/or CPV panels and/or dish Stirling units and switching station.
- Foundations to support the PV/TPV panels and/or CPV panels and/or dish Stirling units' infrastructure.
- Internal access roads.
- Maintenance building and site offices."

To:

Infrastructure	Footprint and dimensions
Lease area	1 686 342 m ² / 168.63 hectares
Solar array	1 494 028 m ² / 149.40 hectares
Total footprint	1 494 028 m ² / 149.40 hectares
Temporary Services	During the construction phase, temporary sanitation facilities will be provided (i.e., chemical toilets / conservancy tanks) and effluent will be regularly serviced by a licensed company / disposed of at a registered sewage waste disposal site

Reason for amendment:

The Ukuqala Solar PV project consists of two authorised Solar Energy Facilities (SEFs). These two SEFs are situated directly adjacent to each other on Portion D and Portion E respectively on the Vetlaagte farm. The SEFs on Portion D and Portion E will be known as the Ukuqala Solar PV facility and will be developed and operated as one SEF. This Application is for the SEF on Portion E. The following project components are authorised under EA Ref Nr 14/12/16/3/3/1/2611: Laydown Area, Operations & Maintenance (O&M) Buildings, Eskom Switching Station, Ukuqala Grid Connection, Access Road.

The following project components are authorised under EA Ref Nr 14/12/16/3/3/2/382/3 (the approval includes the solar PV array): Diesel Storage of less than 80m³ and IPP Substation.

Amendment 3: Approval of updated Site Layout plan

From:

"The preferred site, Activity Alternative 2 Solar Power, Technology Alternative 1 PV and CPV and the preferred Layout Alternative are approved."

To:

"The preferred site, Activity Alternative 2 Solar Power Generation Facilities, Technology Alternative 1 PV and the Site Layout Plan, dated June 2023, are approved."

Reason for amendment:

The solar PV layout plan for Portion E was authorised in the original EA in 2013 and amendments to this layout is required in order to align with the updated project description.

This proposed amendment letter must be read in conjunction with the EA dated 19 July 2013 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@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.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfre.gov.za

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 11/10/2023

cc:	Susanna Nel	Landscape Dynamics Environmental Consultants (Pty) Ltd	Email Address: info@landscapedynamics.co
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