



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: 14/12/16/3/3/2/483/AM3

Enquiries: Bathandwa Ncube

Telephone: (012) 399 9368 **E-mail:** BNcube@dff.gov.za

Mr Warren Morse
Mulilo Total Hydra Storage (Pty) Ltd
P.O. Box 548
Howard Place
Pinelands
CAPE TOWN
7700

Telephone Number : 021 685 3240
Email Address : warren@mulilo.com

PER EMAIL / MAIL

Dear Mr Morse

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 JULY 2015 FOR THE BADENHORST DAM SOLAR PV3 PHOTOVOLTAIC ENERGY PLANT ON THE FARM BADENHORST DAM, REMAINDER OF PORTION 1 OF FARM NO.180 NEAR DE AAR, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Competent Authority on 30 July 2015, the amendments to the EA dated 16 April 2018, 18 February 2021 and 08 June 2021, your application for amendment of the EA received by this Competent Authority on 31 May 2023, and the acknowledgement dated 12 June 2023, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Competent Authority, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 30 July 2015, as follows:

Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of expiry of the EA dated 30 July 2015, now extended to **30 July 2025**. 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.

Reason for amendment

The applicant applied to extend the validity period of the EA to ensure that the project is compliant with the requirements of the Department of Mineral Resources and Energy's Renewable Energy Independent Power Producer Procurement ("REIPPP") Programme.

M.S

This amendment letter must be read in conjunction with the EA dated 30 July 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 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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



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

Date: 12/07/2023

cc:	Ms Susanna Nel and Ms Annelize Grobler	Landscape Dynamics Environmental Consultants (Pty) Ltd	Email: info@landscapedynamics.co.za
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