



## 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:** 14/12/16/3/3/2/2027/AM1

**Enquiries:** Ms Thembisile Hlatshwayo

**Telephone:** (012) 399 8838 **E-mail:** Thlatshwayo@dff.gov.za

Mr Adriaan Botha  
Kotulo Tsatsi Energy (Pty) Ltd  
2 Michelin Street  
**VANDEBIJLPARK**  
1900

Telephone Number: (016) 986 0691  
Cell Number: (082) 824 1684  
Email Address: AttieBotha@KotuloTsatsiEnergy.com

### PER EMAIL

Dear Mr Botha

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JULY 2021 FOR THE PROPOSED KOTULO TSATSI ENERGY PV1 FACILITY IN THE NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Competent Authority (CA) on 27 July 2021, your application for amendment of the EA received by the CA on 15 September 2022 and the acknowledgement letter dated 26 September 2022, 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 27 July 2021, as follows:

#### **Amendment 1: To increase the capacity of the facility on page 1 and 6 (project description) of the EA**

#### **From:**

Environmental authorisation in terms of the environmental impact assessment regulations, 2014, as amended, The **200MW** Kotulo Tsatsi Energy PV1 Facility in the Namakwa District Municipality, Northern Cape Province

#### **To:**

Environmental authorisation in terms of the environmental impact assessment regulations, 2014, as amended, The **480MW** Kotulo Tsatsi Energy PV1 Facility in the Namakwa District Municipality, Northern Cape Province

**Amendment 2: To amend the capacity of the facility for activity 1, Listing Notice 2 on page 4 of the EA****From**

<b>Activity number</b>	<b>Activity description</b>
Listing Notice 2 Item 1:  The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.	The project comprises a renewable energy generation facility, which will utilise photovoltaic (PV) technology and will have a generation capacity of up to <b>200MW</b> . The development is located outside of an urban area.

**To:**

<b>Activity number</b>	<b>Activity description</b>
Listing Notice 2 Item 1:  The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.	The project comprises a renewable energy generation facility, which will utilise photovoltaic (PV) technology and will have a generation capacity of up to <b>480MW</b> . The development is located outside of an urban area.

**Reason for amendment:**

Solar PV technology has improved significantly, with substantially higher efficiency levels from new PV panels of the same size. It is therefore possible to generate more energy from the same development envelope through the implementation of the latest technology. The panels themselves are of similar size as it is the photovoltaic cells which are more efficient, therefore resulting in an increased output capacity from panels within the approved development envelope (810ha). The realised benefit is an increased capacity with no other physical changes to the planned facility (1MW of PV requires approximately 1.5ha, and therefore 480MW can be accommodated within 810ha). The utilisation of more efficient panels will result in an increase in the total generation capacity of the facility.

This proposed amendment letter must be read in conjunction with the EA dated 27 July 2021.

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: [appealsdirector@dfre.gov.za](mailto:appealsdirector@dfre.gov.za);

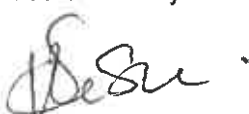
By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083; or

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.dfre.gov.za/documents/forms#legal\\_authorisations](https://www.dfre.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@dfre.gov.za](mailto:appealsdirector@dfre.gov.za).

Yours faithfully



**Mr Vusi Skosana**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
**Date: 10 October 2022**

cc:	Nkhensani Masondo	Savannah Environmental (Pty) Ltd.	E-mail: <a href="mailto:Khensani@savannahsa.com">Khensani@savannahsa.com</a>
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Mr. Vusi Skosana  
Director: IEA: National Integrated Authorisations

Dear Mr. Skosana

### **APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 26 SEPTEMBER 2022 UNTIL 14 OCTOBER 2022**

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorisations, for the period of 26 September 2022 until 14 October 2022 whilst Ms Milicent Solomons is on annual leave.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations must be signed under Acting Chief Director: Integrated 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 1996), 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 Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

**Ms Devinagie Bendeman**  
**Deputy Director-General: RCSM (Regulatory Compliance and**  
**Sector Monitoring)**  
**Date: 23/09/2022**

#### **ACKNOWLEDGEMENT**

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorisations

Signed:

Date: 26 September 2022