



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/3/1/2044/AM3

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Mr David Michael Peinke
AEP Bloemsmond Solar 4 (Pty) Ltd
01 Osborne Road, 5th Floor
Claremont
CAPE TOWN
7708

Telephone Number: (021) 418 2596
Email Address: david@atlanticep.com

PER MAIL / E-MAIL

Dear Mr Peinke

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 NOVEMBER 2019 FOR THE DEVELOPMENT OF 100 MW BLOEMSMOND 4 PHOTOVOLTAIC SOLAR FACILITY WITH A BATTERY ENERGY STORAGE SYSTEM OF UP TO 500MWH ON PORTION 5 AND PORTION 14 OF FARM BLOEMSMOND 455 WITHIN KAI! GARIB LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 08 November 2019, the EA amendments issued on 24 February 2021 and 25 March 2021, your application for amendment of the EA received by the Department on 25 October 2024 and acknowledgement letter dated 04 November 2024, 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 08 November 2019 as amended, as follows:

Amendment 1: change of the physical and postal address of the EA Holder

From:

Mr David Michael Peinke
AEP Bloemsmond Solar 4 (Pty) Ltd
101, Block A, West Quay Building
7 West Quay Road
WATERFRONT
8001

Telephone Number: (021) 418 2596
Email Address: david@atlanticep.com



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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.

To:

Mr David Michael Peinke
AEP Bloemsmond Solar 4 (Pty) Ltd
01 Osborne Road, 5th Floor
Claremont
CAPE TOWN
7708

Telephone Number: (021) 418 2596
Email Address: david@atlanticep.com

Reason for amendment

The Holder of the Environmental Authorisation has changed office location and therefore requires a change to the physical and postal address details in the Environmental Authorisation.

Amendment 2: Extension of EA validity period by additional five (05) years from 08 November 2024 to 08 November 2029

Condition 7 of the EA is hereby amended as follows:

"This activity must commence within a period of ten (10) years from the date of issue of the environmental authorisation (i.e., the authorisation lapses on 08 November 2029). 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 proponent wishes to extend the Environmental Authorisation in order to participate in upcoming rounds of the programme when the Northern Cape Transmission network unlocks as the holder of the EA has been unsuccessful in previous bidding rounds of the REIPPPP and private-offtake (wheeling) due to the constraints on transmission network in Northern Cape. The EA holder is in an unfortunate position where essentially, they have to wait for Eskom/National Transmission Company to build new 400 kV powerlines from the Northern Cape Supply Area out towards other provinces. Various of these strategic Transmission powerline upgrades have already commenced and are at various stages of progress from environmental impact assessments through to final servitude acquisitions and detailed designs. It is estimated that it may take at least another 3 to 5 years to establish some additional Transmission infrastructure that will allow some projects to connect in the Northern Cape Supply Area.

This proposed amendment letter must be read in conjunction with the EA dated 08 November 2019, 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.

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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@dffe.gov.za

Yours sincerely



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

Date: 18/11/2024

cc	Mr Dale Holder	Cape Environmental Assessment Practitioners Cape EA Prac	Email: dale@cape-ea-prac.co.za
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