

09 November 2020

Dear Interested and Affected Party

re.: **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT NO. 107 OF 1998 (NEMA) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): Development of the 100MW Visserspan Solar Photovoltaic Facility Project 2 on Visserspan Farm No. 40, near Dealesville, Tokologo Municipality, Free State Province**

You have been registered as an interested and affected party (I&AP) for the above-mentioned project.

EnviroAfrica, on behalf of Ventura Renewable Energy (Pty) Ltd, would like to inform you that a positive Environmental Authorisation (EA) has been issued by the Department of Environment, Forestry and Fisheries (DEFF) on the 05 November 2020 for the Development of the 100MW Visserspan Solar Photovoltaic Facility Project 2 on Visserspan Farm No. 40, near Dealesville, Tokologo Municipality, Free State Province.

Outcome: **ENVIRONMENTAL AUTHORISATION GRANTED**  
Date of Decision: 2020-11-05  
Date of Issue: 2020-11-06  
EA Reg. No.: 14/12/16/3/3/1/2154

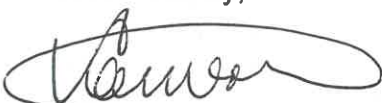
Attached to this letter please find a copy of:

- i. the decision letter as received from the DEFF
- ii. the reasons for the Department's decision (Annexure 3 to the EA)
- iii. a summary of the appeal procedure
- iv. the National Appeal Regulation, 2014 (Government Notice No. R 993).

The full EA is available on EnviroAfrica's website at [www.enviroafrica.co.za](http://www.enviroafrica.co.za) (under Projects/Completed/Visserspan Solar PV Facility - Project 2).

As a registered I&AP, you have the right to appeal the above decision. **Appeals must be submitted within 20 days from the date of this letter** according to the procedure summarised on the page titled 'Appeal Procedure'.

Yours sincerely,



Vivienne Thomson  
Environmental Consultant  
EnviroAfrica CC



# environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

DEA Reference: 14/12/16/3/3/1/2154

Enquiries: Ms Bathandwa Ncube

Telephone: 012 399 9368 E-mail: [BNcube@environment.gov.za](mailto:BNcube@environment.gov.za)

Mr Cornelius Weyers Janse van Rensburg  
Ventura Renewable Energy (Pty) Ltd  
P.O. Box 73  
**SOMERSET MALL**  
Western Cape  
7137

Cellphone Number : 082 631 7496  
Email Address : [weyers@kerenenergy.com](mailto:weyers@kerenenergy.com)

## PER EMAIL / MAIL

Dear Mr Janse van Rensburg

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE 100MW VISSERSPAN SOLAR PHOTOVOLTAIC FACILITY PROJECT 2 ON VISSERSPAN FARM NO. 40, NEAR DEALESVILLE, TOKOLOGO LOCAL MUNICIPALITY, FREE STATE PROVINCE**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, 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, 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 National Environmental Management Act, 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

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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@environment.gov.za](mailto:appeals@environment.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](https://www.environment.gov.za/documents/forms#legal%20authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za)

Yours faithfully

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

Date: 05/11/2020

cc:	EnviroAfrica CC	Vivienne Thomson	Email: <a href="mailto:vivienne@enviroafrica.co.za">vivienne@enviroafrica.co.za</a>
	Economic, Small Business Development, Tourism and Environmental Affairs	Grace Mkhosana	Email: <a href="mailto:mkhosana@destea.fs.gov.za">mkhosana@destea.fs.gov.za</a>

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the amended application form received on 11 September 2020.
- b) The information contained in the BAR dated September 2020.
- c) The comments received from Interested and Affected Parties (I&APs) included in the BAR dated September 2020;
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated September 2020 and as appears below:

Title	Prepared by	Date
Botanical Impact Assessment (East and West)	Bergwind Botanical Surveys & Tours	July 2020
Freshwater Impact Assessment	WATSAN Africa	January 2020
Soil, Land Use and Agricultural potential survey	J.H. van der Waals	August 2020
Socio-Economic impact assessment	Environmental Management & Communication Consultancy	August 2020
Archaeological Impact Assessment	ACRM	January 2020
Palaeontological Impact Assessment	John E. Almond PhD (Cantab.)	January 2020
Visual Impact Assessment	S.C. Lategan	February 2020
EMPr	EnviroAfrica CC	September 2020

## **2. Key factors considered in making the decision**

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) Comments from the Department's Biodiversity Conservation Directorate dated 24 August 2020.
- c) The letter from the Botanical Specialist dated 25 August 2020 written in response to comments from this Department's Directorate: Biodiversity Conservation dated 24 August 2020, attached as Appendix G6a of the BAR dated September 2020.
- d) The letter from the Environmental Assessment Practitioner dated 11 September 2020 written in response to comments from Directorate: Biodiversity Conservation dated 24 August 2020, attached as Appendix G6c of the BAR dated September 2020.
- e) The need for the proposed project stems from the provision of electricity to the national grid.
- f) The BAR dated September 2020 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- g) The location of the proposed solar PV energy facility within a REDZ 5.
- h) The methodology used in assessing the potential impacts identified in the BAR dated September 2020 and the specialist studies have been adequately indicated.
- i) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

## **3. Findings**

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated September 2020 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated September 2020 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.