



# 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: 14/12/16/3/3/1/1854/AM1

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Mr Cornelius Weyers Janse van Rensburg  
Roma Energy Vanrhynsdorp (Pty) Ltd  
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Welgenvonden  
**STELLENBOSCH**  
7600

Cellphone Number: (082) 631 7496  
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## PER EMAIL / MAIL

Dear Mr Janse van Rensburg

### AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 MAY 2018 FOR THE VANRHYNSDORP SOLAR PHOTOVOLTAIC (PV) FACILITY ON THE REMAINDER OF THE FARM DE DUINEN NO.258, NEAR VANRHYNSDORP WITHIN MATZIKAMA LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 08 May 2018, your application for amendment of the EA received by the Department on 14 September 2022 and the acknowledgement letter dated 21 September 2022, 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 May 2018, as follows:

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

The activity must commence within a period of five (05) years from the date of expiry of the EA issued on 08 May 2018 (i.e., the EA will lapse on 08 May 2028). 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 allow the final applications for electricity excavation to the national Eskom grid to be concluded and that construction can commence.

This proposed amendment letter must be read in conjunction with the EA dated 08 May 2018 as amended.

  
COMMISSIONER OF OATHS  
JACQUES ENGELBRECHT  
Professional Accountant (S.A.)  
P.O. Box 12347, Die Boord, 7613  
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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_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully

*M. Solomons*

**Ms. Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
**Date: 19/10/2022.**

cc:	Jan-Taljaard Marx	Enviro Africa CC	E-mail: <a href="mailto:jan@enviroafrica.co.za">jan@enviroafrica.co.za</a>
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*J. Engelbrecht*  
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## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/1854

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**SOMERSET MALL**  
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E-mail address: weyers@kerenenergy.com

### PER E-MAIL / MAIL

Dear Mr van Rensburg

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983: PROPOSED VANRHYNSDORP SOLAR PHOTOVOLTAIC (PV) FACILITY ON THE REMAINDER OF THE FARM DE DUINEN NO. 258, NEAR VANRHYNSDORP WITHIN MATZIKAMA LOCAL MUNICIPALITY IN THE WESTERN CAPE 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 (the 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 decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.


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: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za)

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

  
**COMMISSIONER OF OATHS**  
**JACQUES ENGELBRECHT**  
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M.S



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations 2014, as amended

The proposed Vanrhynsdorp Solar Photovoltaic (PV) Facility on Remainder of Farm De Duinen no. 258,  
near Vanrhynsdorp within Matzikama Local Municipality in the Western Cape Province

### West Coast District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/1854
<b>Last amended:</b>	Second issue
<b>Holder of authorisation:</b>	Roma Energy Vanrhynsdorp (Pty) Ltd
<b>Location of activity:</b>	De Duinen no. 258, Matzikama Local Municipality, Western Cape Province

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

  
COMMISSIONER OF OATHS  
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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983)), as amended:

Listed activities	Activity/Project description
<p><u>GN R. 983 Activity 1(ii):</u>  <i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where –</i>  <i>(ii) The output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1ha</i></p> <p><i>excluding where such development facilities or infrastructure is for photovoltaic installations and occurs-</i></p> <p><i>(a) within an urban area; or</i>  <i>(b) on existing infrastructure.</i></p>	<p>A solar photovoltaic array with an electricity output of less than 10MW and a footprint greater than 1ha but not exceeding 20ha will be developed. The development will supply 5MW of electricity to the national grid (actual grid electricity capacity) but has nameplate capacity of 5.75 MW.</p>
<p><u>GN R. 983 Activity 27:</u>  <i>Clearance of an area of 1ha or more but less than 20ha of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p><i>(i) the undertaking of a linear activity; or</i>  <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>Clearance of vegetation within the 20ha demarcated footprint on the site will be required.</p>

as described in the Basic Assessment Report (BAR) dated December 2017 at:

Farm Name: De Duinen No. 258

21 Digit SG code:

C	0	7	8	0	0	0	0	0	0	0	0	0	2	5	8	0	0	0	0	0
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Preferred Lay-out alternative	Latitude	Longitude
Northern Corner	31°34'33.76"S	18°44'48.65"E
Western Corner	31°34'40.32"S	18°44'36.86"E
Southern Corner	31°34'55.51"S	18°44'46.37"E
Eastern Corner	31°34'49.53"S	18°44'58.35"E
<b>Preferred Site alternative</b>	31°34'46.02"S	18°44'46.91"E

3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this environmental authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further environmental authorisation in terms of the regulations.
6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. 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.
8. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

#### **Notification of authorisation and right to appeal**

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons of the competent authority for the decision.

assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

### Monitoring

19. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 19.1. The ECO must be appointed before commencement of any authorised activities.
  - 19.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 19.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 19.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### Recording and reporting to the Department

20. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
21. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
22. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
23. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
24. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in

(SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources must be made.

33. Any solid waste, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008). No waste material must be left on site after construction.

### General

34. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 34.1. at the site of the authorised activity;
  - 34.2. to anyone on request; and
  - 34.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
35. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 8/05/2018



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs



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- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and were included in the BAR. The Mitigation measures 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.

  
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