



# 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:** 14/12/16/3/3/1/2733

**Enquiries:** Ms Azrah Essop

**Telephone:** (012) 399 8529 **E-mail:** [AEssop@dfpe.gov.za](mailto:AEssop@dfpe.gov.za)

██████████  
VOLTA PV (Pty) Ltd  
5th Floor Mariendahl House  
Newlands on Main  
11 Main Road  
**NEWLANDS**  
7700

Tel number: ██████████  
Email Address: ██████████

## PER E-MAIL

Dear ██████████

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF A 132KV OVERHEAD AND UNDERGROUND POWER LINES AND ASSOCIATED ELECTRICITY GRID INFRASTRUCTURE (EGI) FROM THE VOLTA PV FACILITY TO THE PLANNED ARTEMIS MAIN TRANSMISSION SUBSTATION (MTS) NEAR DEALESVILLE IN THE 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 stipulates 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 abuses or compromises 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 prescribe 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.

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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: [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

By hand: Environment House  
473 Steve Biko Road  
Arcadia  
**PRETORIA**  
0083

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](https://www.dffe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully

  
**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries & the Environment**  
Date: *24/07/2008*

Cc:	Grace Mkhosana	Free State: DESTEA	Email: <a href="mailto:mkhosana@destea.gov.za">mkhosana@destea.gov.za</a>
	Kelehile Mothlale	Tokologo Local Municipality	Email: <a href="mailto:nmkontwana@ubuntu.gov.za">nmkontwana@ubuntu.gov.za</a>
	Mpho Sehloho	Tokologo Local Municipality	Email: <a href="mailto:kelehilem@gmail.com">kelehilem@gmail.com</a>
	Paul Lochner	Council for Scientific and Industrial Research	Email: [REDACTED]
	Abulele Adams	Council for Scientific and Industrial Research	Email: [REDACTED]

*MS*

## 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 09 June 2023.
- b) The information contained in the BAR dated June 2023.
- c) The comments received from Department of Forestry, Fishery and the Environment – Conservation and Biodiversity Directorate and Protected Areas Planning and Management Effectiveness; Eskom; Telkom; Free State Agriculture; SACAA; DWS; FS Department of Economic Small Business Development, Tourism and Environmental Affairs (FS: DESTEA); SAHRA and other Interested and Affected parties (I&APs); as included in the BAR dated June 2023.
- d) Mitigation measures as proposed in the BAR.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated June 2023 and as appears below:

Study	Specialist	Date
Agricultural Compliance Statement	Johann Lanz- Soil Scientist (Pr.Sci.Nat.)	20 February 2023 (PV and BESS)
Visual Impact Assessment	Lourens du Plessis (GPr GISc) t/a LOGIS	27 March 2023 (EGI and PV)
Heritage Impact Assessment	Mr. J. van der Walt - Beyond Heritage	March 2023 (EGI and PV)
Palaeontological Impact Assessment	Prof Marion Bamford	25 March 2023 (EGI and PV)
Terrestrial Biodiversity Assessment	Corné Niemandt - Enviro-Insight Cc	March 2023 (EGI and PV)
Avifauna Ecology Study	Luke Verburgt - Enviro-Insight CC	16 March 2023
Social Impact Assessment	Tony Barbour - Tony Barbour Environmental Consulting	June 2023
Geohydrological Impact Assessment	Hardy Luttig & Shane Teek - GEOSS South Africa (Pty) Ltd	June 2023

Study	Specialist	Date
Desktop Geotechnical Study	Hardy Luttig & Shane Teek - GEOSS South Africa (Pty) Ltd	June 2023
Traffic Impact Assessment	Merchandt Le Maitre - Skerp Consulting Engineers (PTY) LTD	1 March 2023

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

All information presented to the Department was considered 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) The need for the proposed project emanates from the provision of electricity to the national grid.
- c) The BAR dated June 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed solar energy facility and EGI deemed suitable.
- e) The methodology used in assessing the potential impacts identified in the BAR dated June 2023 and the specialist studies have been adequately indicated.
- f) 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 June 2023 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 June 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately reduces the identified impacts.

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.**