



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: 14/12/16/3/3/2/914/AM2

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Mr. Dick Berlijn
Protea Solar Power Plant (RF) (Pty) Ltd.
PO Box 785553
SANDTON
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PER EMAIL / MAIL

Dear Mr Berlijn

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 29 NOVEMBER 2016 FOR THE PROPOSED 150MW PROTEA PHOTOVOLTAIC (PV) SOLAR POWER PROJECT NEAR VRYBURG IN THE NORTH WEST PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 29 November 2016, the amendments to the EA dated 10 May 2017, your application for amendment of the EA received by the Department on 11 December 2020 and the acknowledgement letter dated 29 January 2021, the draft motivation report received on 11 December 2020 and the comments dated 01 February 2021 and the Final motivation report received on 12 March 2020, 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 29 November 2016 as amended, as follows:

Amendment 1: Inclusion of a battery storage system within the development footprint of the EA issued on 29 November 2016, as amended:

- Page 5: The description of the associated infrastructure for the proposed PV facility should include reference to a battery storage of ~6ha in extent.
- Page 5: Reference should also be included in the table summarising the technical details of the proposed facility. It is proposed that the following be included: Battery storage – of ~6 hectares in extent.

Corner coordinates for the Protea BESS

Battery Energy Storage System (BESS)		
	Longitude	Latitude
1	27° 4'40.00"S	24° 45'5.65"E
2	27° 4'40.05"S	24° 45'13.55"E
3	27° 4'50.01"S	24° 45'13.35"E
4	27° 4'49.80"S	24° 45'5.47"E

M.S

Reason for amendments:

"BESS" is included to be part of this project in order to meet the requirements to tender the project for the new generation capacity under the Risk Mitigation Independent Power Producer Procurement Program (RMIPPPP) by the Department of Mineral Resources and Energy (DMRE). As one of the DMRE's conditions to tender the project under the RMIPPPP is that all projects must be able to operate between 5h00 and 21h30 in order to supply the grid during peak hours early in the morning and late afternoon when the sun has set, which can only be done by using a battery storage system. The battery storage system will therefore improve the desirability of the proposed project as well as its efficiency.

Amendment 2: Increasing capacity of up to 115MWdc to up to 150MWdc of the EA issued on 29 November 2016, as amended:

To increase the capacity of the facility from up to 115MW to up to 150MW, it is proposed that the EA (and its first amendment where applicable) be amended as follows:

- Page 3: The activity description for activity 1 should be amended from:

"The proposed photovoltaic solar facility will generate up to 115 megawatts electricity"

To:

"The proposed photovoltaic solar facility will generate up to 150 megawatts electricity."

- Page 4: The first bullet describing the associated infrastructure for the proposed PV facility should be amended from:

"Arrays of PV panels with a contracted capacity of up to 115 MW"

To:

"Arrays of PV panels with a contracted capacity of up to 150 MW"

- Page 6: The table summarising the technical details of the proposed facility should be amended from:

"Export capacity – 115 MW"

To:

"Export capacity – up to 150 MW."

Reason for amendments:

Due to new and advanced technology of panels (470W and Bi-facial) the same amount of panels may be used as specified previously but will be able to generate more megawatts on the same area. The DMRE no longer caps projects at 75MW under the RMIPPPP, which means that developers may tender for larger capacity (if the grid can accommodate it).

Amendment 3: Increasing the height of the panels of the EA issued on 29 November 2016, as amended:

- To increase the height of the panels from 3.5 meters to 6 meters on page 5 of the EA – The table summarising the technical details of the proposed facility, it is proposed that the EA be amended from:

"Height of the installed panels from ground level – 3.5 meters"

To:

"Height of the installed panels from ground level – 6 meters"

Reason for amendments:

Using new advanced panel technology will result in the increase in the height of the panels to approximately 6 meters.

Amendment 4: Increasing the number of inverters of the EA issued on 29 November 2016, as amended:

- Page 5: The table summarising the technical details of the proposed facility should make reference to: "Number of inverters required – approximately 50".

Reason for amendments:

Due to the increase in MWdc capacity, more inverters are needed to convert the increased DC capacity to AC. The minimum inverters should be amended from 34 to a minimum of 40.

Amendment 5: Amending the number of modules, the location of inverters, buildings and internal roads within the development footprint (revised layout) of the EA issued on 29 November 2016, as amended:

- Page 5: The third last bullet regarding the supporting infrastructure should be amended from:

"Supporting infrastructure: Office (~16m x 9.85m); Switch gear and relay room (~25m x 14m); Staff lockers and changing room (~21.7m x 9.85m); and Security control (~11.8m x 5.56m)"

To:

"Supporting infrastructure: Office (~200m²); Switch gear and relay room (~25m x 14m); Staff lockers and changing room (~200m²); and Security control (~60m²)"

- Page 8: Section 14- is amended from:

"The final development layout map as submitted with the EIAr dated August 2016 is not approved. The preferred layout is located in an area with a high number of camel thorn trees; as such the layout plan must be submitted to the Department of Agriculture, Forestry and Fisheries for comments to determine adequate micro siting of the facility."

To:

"The development layout plan titled "Protea Solar Power Plant, dated December 2020 is approved".

Reason for amendments:

Due to the increase of capacity (MW), inclusion of battery storage and the spacing between panels, a new layout had to be designed which changed the citing of the infrastructure as well as the sizes of the demarcated areas for the associated infrastructure (the substation, laydown area, office, staff room and security room).

The mitigation measures as proposed in the EMPr for the utility-scale Lithium-ion (Li-ion) battery energy storage must be adhered to as proposed in the EMPr submitted as part of this amendment.

This proposed amendment letter must be read in conjunction with the EA dated 29 November 2016 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.

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@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 or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



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

Date: *30/06/2021*

cc:	Ms Carli Steenkamp	Environamics CC	E-mail: carli@environamics.co.za
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