

**APPENDIX 1
COPY OF THE PRE-APPLICATION MEETING MINUTES**

From: Coenrad Agenbach <CAGENBACH@dffe.gov.za>
Sent: 21 April 2022 23:06
To: anja@hollandandassociates.net; Muhammad Essop; Herman Alberts
Cc: 'Nicole Holland'; tilly@hollandandassociates.net
Subject: RE: Paarde Valley PV2 Follow-up Meeting Minutes
Attachments: PaardeValleyPV2 - Meeting Notes 27 Jan 2022_for DFFE review.doc

Flag Status: Flagged

Dear Anja

My sincere apology for only responding now to the draft minutes.

The meeting minutes is approved (see our response to your question in the attached). We also take note of the decision not to split the project site into 2 projects anymore and thus the irrelevance of point 4 in the minutes . A copy of the approved minutes and this approval must be submitted as part of the application form when the application is lodged.

Regards

Mr Coenrad Agenbach
Control Environmental Officer: Priority Infrastructure Projects
Chief Directorate: Integrated Environmental Authorisations
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forestry, fisheries
and the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

From: anja@hollandandassociates.net <anja@hollandandassociates.net>
Sent: Thursday, 21 April 2022 12:19
To: Muhammad Essop <MESSOP@dffe.gov.za>; Muhammad Essop <MESSOP@dffe.gov.za>; Herman Alberts <HALBERTS@dffe.gov.za>; Coenrad Agenbach <CAGENBACH@dffe.gov.za>
Cc: 'Nicole Holland' <nicole@hollandandassociates.net>; tilly@hollandandassociates.net; 'Ryan David-Andersen' <ryan@mulilo.com>; andrew@mulilo.com
Subject: RE: Paarde Valley PV2 Follow-up Meeting Minutes

Good day,

I trust you are all keeping well.

I would like to follow up on the below, as we do not appear to have received comment from the Department regarding the acceptance of the minutes.

We would like to advise the Department that the Paarde Valley PV 2 Site amendment application will no longer include an application to have the PV site split into two projects. Therefore, the sections of the minutes regarding the split (Point 4 in the attached minutes) are no longer relevant to the project.

We are aiming to submit the application for amendment within the two to three weeks, therefore we hope to receive your approval of the minutes before then.

Kind regards,

Anja Albertyn (MSc, Pr. Sci. Nat.)



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From: anja@hollandandassociates.net <anja@hollandandassociates.net>
Sent: 02 March 2022 12:01
To: Muhammad Essop <MESSOP@dffe.gov.za>; 'messop@environment.gov.za' <messop@environment.gov.za>; Herman Alberts <HALBERTS@dffe.gov.za>; Coenrad Agenbach <CAGENBACH@dffe.gov.za>
Cc: 'Nicole Holland' <nicole@hollandandassociates.net>; 'tilly@hollandandassociates.net' <tilly@hollandandassociates.net>; 'Ryan David-Andersen' <ryan@mulilo.com>; andrew@mulilo.com
Subject: FW: Paarde Valley PV2 Follow-up Meeting Minutes

Good day,

I hope you are all keeping well!

I would like to follow up from the below minutes sent on 4 February for your review and approval. Please could you confirm acceptance of the minutes, or send us your comments on the attached.

We look forward to hearing from you.

Kind regards,

Anja

Anja Albertyn (MSc, Pr. Sci. Nat.)



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From: anja@hollandandassociates.net <anja@hollandandassociates.net>
Sent: 04 February 2022 14:29
To: 'messop@environment.gov.za' <messop@environment.gov.za>; Herman Alberts <HALBERTS@dffe.gov.za>; Coenrad Agenbach <CAGENBACH@dffe.gov.za>
Cc: 'Nicole Holland' <nicole@hollandandassociates.net>; 'tilly@hollandandassociates.net' <tilly@hollandandassociates.net>; andrew@mulilo.com; 'Ryan David-Andersen' <ryan@mulilo.com>; 'Johan Janse van Rensburg' <johan@mulilo.com>; 'warren@mulilo.com' <warren@mulilo.com>; 'Lloyd Barnes'

<lloyd@mulilo.com>

Subject: Paarde Valley PV2 Follow-up Meeting Minutes

Good day,

We trust this email finds you well.

The abovementioned subject, and the follow up meeting held on 27 January 2022, refers. Please see attached the notes from this meeting, for your review and approval.

We look forward to hearing from you.

Kind regards,

Anja

Anja Albertyn (MSc, Pr. Sci. Nat.)

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Environmental Consultants

Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review

Notes from Meeting

**75 - 150MW PV2 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND
ASSOCIATED INFRASTRUCTURE, INCLUDING GRID CONNECTION,
NEAR DE AAR, NORTHERN CAPE:
AMENDMENTS OF THE ENVIRONMENTAL AUTHORISATION &
PROPOSED NEW GRIDLINE**

DFFE REFERENCE NUMBER:

12/12/20/2500

FOLLOW-UP MEETING WITH DFFE TO PRE-APPLICATION MEETING

<i>Date</i>	<i>Time</i>	<i>Venue</i>
27 January 2022	10h00- 11h10	Microsoft Teams (Virtual)

<u>ATTENDEES:</u>		
Mrs Nicole Holland	(NH)	Holland & Associates Environmental Consultants (EAP)
Anja Albertyn	(AA)	Holland & Associates Environmental Consultants (EAP)
Tilly Watermeyer	(TW)	Holland & Associates Environmental Consultants (EAP)
Coenrad Agenbach	(CA)	Department of Forestry, Fisheries and the Environment (Integrated Environmental Authorisations)
Herman Alberts	(HA)	Department of Forestry, Fisheries and the Environment (Integrated Environmental Authorisations)
Muhammad Essop	(ME)	Department of Forestry, Fisheries and the Environment (Integrated Environmental Authorisations)
Andrew Pearson	(AP)	Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)
Warren Morse	(WM)	Mulilo Renewable Project Developments

	<p>Johan Janse van Rensburg (JJ) (Pty) Ltd (The Applicant) Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)</p> <p>Jessie Yuill (JY) Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)</p> <p>Lloyd Barnes (LB) Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)</p>
1.	<p>Introduction and re-cap of the proposed amendments to the EA and proposed new gridline that formed the subject of the Pre-Application Meeting held on 14 December 2021</p> <p>AP introduced attendees from Mulilo Renewable Project Developments.</p> <p>NH provided a brief overview of the proposed actions relating to the Paarde Valley PV2 project that formed the subject of the Pre-Application meeting, and to be further discussed in the follow-up meeting, including:</p> <ul style="list-style-type: none"> Proposed changes to the alignment of the authorised grid connection, which would require a new Environmental Authorisation process, Adding Listed Activities which were erroneously omitted from the EA, into the Paarde Valley PV2 EA Potential Split of the PV EA (from 1 x 150 MW project to 2 x 75 MW projects) Extension of the EA validity period
2.	<p>Proposed new gridline BAR</p>
2.1	<p>NH informed DFFE that subsequent to the Pre-Application meeting that was held on 14 December 2021, the Applicant has since screened out the one potential gridline, i.e the "Paarde Valley PV2 Mulilo Cluster 1 Grid Connection" (which had 2 route alternatives), and that only the one gridline route would be applied for, i.e. the "Paarde Valley PV2 Vetlaagte MTS Grid Connection". Accordingly, one Basic Assessment would be undertaken (rather than two, as indicated in the Pre-Application Meeting).</p> <p>AP provided the reasons for screening out the Paarde Valley PV2 Mulilo Cluster 1 Grid Connection route. These are primarily related to other developments in the area taking up capacity, leaving Paarde Valley PV2 needing to connect to a new proposed MTS (i.e. the Vetlaagte MTS, which is proposed to be authorised under a separate new EA application process).</p>
2.2	<p>ME asked if the gridline BAR would include the onsite substation.</p> <p>AP confirmed that it would include the switching station component, which is the Eskom (i.e. "self-build") component of the on-site substation.</p>
2.3	<p>ME asked how many kV the line would be.</p> <p>AP indicated that it would likely be 132kV, however a possible range of up to 400kV is being considered and may be applied for (if it is possible to perhaps still construct a 132kV if authorised for "up to 400kV").</p>

2.4	ME indicated that there are different requirements for a 132kV line and 400 kV line, for example, a pre-negotiated route is required for a 400 kV line, however it is currently not required for a 132kV line. He further confirmed that, under the current regulations, the normal decision-making timeframe (107 days) applies to a 132 kV line, whilst a 400kV line would fall within the ambit of GN 113 (given that the project falls within the Central Corridor), with 57 days for decision making.
2.5	<p>ME confirmed that DFFE will not authorise an application stating, “up to 400 kV” and that the size of the gridline must be specified. In other words, the Applicant must decide on what size line they would like to install. ME further stated that there are three options for the Applicant to choose from (based on the discussions of the meeting):</p> <ol style="list-style-type: none"> 1. 132 kV line – a BAR would need to be undertaken in terms of the 2014 EIA Regulations – standard decision timeframe of 107 days would apply. 2. 400 kV line – a BAR in line with GN113 and a pre-negotiated route would need to be undertaken – shortened decision timeframe of 57 days would apply. 3. Await the gazetting of GN1572 and conduct a 132 kV BAR process with a shortened decision timeframe of 57 days. <p>CA added that Option 3 is most likely not a good idea based on the unpredictability of the timing regarding GN1572.</p> <p>ME confirmed that the gridline will need its own EMPr and that the Generic EMPr’s for substation infrastructure development and overhead electricity transmission and distribution infrastructure must be included.</p>
2.6	<p>AA asked what DFFE would like seen done in terms of the Geotechnical, RFI and CAA themes identified in the Screening Tool Report.</p> <p>ME indicated that if a specialist assessment was identified in the Screening Tool Report, it must be addressed by the EAP and/or applicable specialists (which may also include a compliance statement and/or a motivation against requiring a detailed specialist study for a particular theme), in terms of the applicable gazetted protocol or Appendix 6 of the EIA Regulations, 2014 (as amended), and should be informed by the site sensitivity verification. AA confirmed that if a specific protocol has been gazetted for a theme it will be followed,</p>
2.7	<p>NH asked DFFE whether it is acceptable to assess and apply for a 200 m corridor for the proposed gridline.</p> <p>ME stated that this would depend on the size of the gridline as a 400kV gridline would need to be submitted with a pre-negotiated route and pylon locations specified, therefore a corridor would not be appropriate as the alignment would need to be known at the time of lodging the application. However, for a 132 kV line, ME said that the servitude is usually approximately 40 m wide, and that the proposed 200 m corridor would cover the servitude and be in order (as no pre-negotiated route would be required for the 132KV line in terms of the current Regulations). DFFE’s representatives emphasised the importance of finalising the technical details before starting a process, i.e. submitting an application.</p>
2.7	<p>In terms of the proposed split of the authorised onsite substation (i.e half would remain with the PV EA, and half (i.e. the switching station component) would be included in the gridline BAR (so that the ESKOM self-build components will be in one EA), AA queried if the same footprint can be used for the proposed split into on-site substation section and grid switching station section, as the exact layout is not yet known.</p>

	AP confirmed that Mulilo will be able to provide this to the EAP before submission of the application. ME thanked AP for this.
3	Omitted EIA Listed Activities from the PV2 EA
3.1	NH indicated that, based on the discussions of the DFFE Pre-Application meeting on 14 December 2021, a letter would be submitted to DFFE in terms of Regulation 27(4) of the 2014 EIA Regulations, as amended, motivating for EIA listed activities that appear to have been erroneously omitted from the EA (i.e. where they were included in the Application Form and/or EIA report, and assessed, but not included in the EA) to be added into the EA. ME stated that the correction would have to be completed before an amendment process can be started, but that the activities that were mentioned in the original EIA report and original EIA application can be applied for through inclusion within the Part 1 EA Amendment Application (along with the request for extension of the validity period and split of the project (if applicable), rather than a letter. If the listed activities were not addressed in the original EIA (i.e. in the EIA report and/or the EA application), then they would need to be applied for via a new environmental authorisation process.
3.2	<p>Given that the Paarde Valley PV 2 project EA is authorised in terms of the 2010 EIA Regulations, NH queried whether the similarly listed 2014 EIA listed activities must be provided to the Department, and furthermore, given that construction has not commenced as yet, how to deal with any “new” EIA listed activities in terms of the 2014 EIA Regulations that may be applicable to the project.</p> <p>ME indicated that it is for the EAP to determine. ME further indicated that for Activities that were not included in the original EIA report or Application and were not a trigger in terms of the 2010 Regulations (but now trigger the activities in the 2014 Regulations) a new application must be undertaken to get authorisation for these Activities.</p> <p>ME noted that if new EIA listed activities need to be included into the EA that are not triggered by the PV panels, but by infrastructure such as roads, batching plants etc, then an application to the provincial authority may be required.</p>
4	Splitting of the PV Project
4.1	<p>ME said that in order for the splitting of the PV project (and thus, the EAs) to follow a Part 1 Amendment process, the split must be administrative, plain and clean.</p> <p>ME stated that for each infrastructure component and condition mentioned in the EA, clear instruction must be given as to what applies to which project (in the split), including a clear indication of the infrastructure to be split and/or shared infrastructure (e.g. the IPP component of the on-site substation).</p>
4.2	ME stated that because the EMPr was authorised, this adds complexity to the split. AP confirmed that a final layout was not included in the EMPr. ME later suggested that the Applicant gets a final layout approved in the EMPr going forward.
4.3	<p>AP indicated that there is a chance that they (i.e. the Applicant) may drop the request to split the EA.</p> <p>ME highlighted that once the EA has been split, the EA cannot be merged again should they change their mind.</p>
4.4	<p>One of the actions arising for DFFE from the Pre-Application Meeting dated 14 December 2021 related to whether the approved EMPr for the PV project would need to be split.</p> <p>After some discussion, ME indicated that the EMPr would need to be split into 2</p>

Commented [AA1]: DFFE to please confirm our understanding is correct.

Commented [CA2R1]: Your understanding is correct.

	EMPr's, and that ideally, the EMPs should include a layout plan.
5	Extension of the EA
5.1	AP confirmed Mulilo's understanding that a strong motivation for an 18-24 month maximum extension of the existing EA is required, that there is nothing in the Regulations that would prevent an extension, but that the Department internally is reluctant to extend the validity of EAs beyond 10 years. The motivation will include letters from specialists who are going to look at the PV site again when they go to site for the proposed new grid connection. Motivation will also include a detailed explanation of the reasons for needing an extension, as the project has been bid into a competitive process for a private-off taker, and if awarded, construction would be imminent but an 18-24 month extension would still be needed to allow the project to reach financial close before construction.
4.3	CA provided his opinion and recommended that the Applicant consider the option of undertaking two new applications of 75 MW to DFFE instead of trying to split and extend the authorised EA, especially considering that there may be additional listed activities that need to be authorised.
4.4	ME stated, towards the end of the meeting, that the EMP splitting is still a point of contention and that the EMPs would need to be tailored specifically to each project. It was further confirmed that the 'split' EMPs do not need to comply with the 2014 EIA Regulations, given that the project was authorised in terms of the 2010 EIA Regulations.
4.5	ME noted that landowner consent must be submitted with the amendment application.

Holland & Associates



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Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review

Notes from Meeting

75 - 150MW PV2 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, INCLUDING GRID CONNECTION, NEAR DE AAR, NORTHERN CAPE:

AMENDMENTS OF THE ENVIRONMENTAL AUTHORISATION

DFFE REFERENCE NUMBER:

12/12/20/2500

DFFE PRE-APPLICATION MEETING

<i>Date</i>	<i>Time</i>	<i>Venue</i>
14 December 2021	10h00- 11h30	Microsoft Teams (Virtual)

<u>ATTENDEES:</u>		
Mrs Nicole Holland	(NH)	Holland & Associates Environmental Consultants (EAP)
Anja Albertyn	(AA)	Holland & Associates Environmental Consultants (EAP)
Tilly Watermeyer	(TW)	Holland & Associates Environmental Consultants (EAP)
Coenrad Agenbach	(CA)	Department of Forestry, Fisheries and the Environment (Integrated Environmental Authorisations)
Herman Alberts	(HA)	Department of Forestry, Fisheries and the Environment (Integrated Environmental Authorisations)
Andrew Pearson	(AP)	Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)
Ryan David-Andersen	(RD)	Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)
Johan Janse van Rensburg	(JJ)	Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)
Jessie Yuill	(JY)	Mulilo Renewable Project Developments (Pty) Ltd (The Applicant)

1.	Introductions
1	Attendees had introduced themselves in the pre-application meeting held 30 November 2021 which was subsequently postponed to 14 December 2021, hence no formal introductions were necessary. AP excused Warren Morse of Mulilo from the meeting as he was attending another meeting at the time.
2	Presentation
2.1	NH presented a PowerPoint presentation for the 75 – 150MW PV2 Photovoltaic Solar Energy Facility EA amendment application, including the following: a brief background and description of the project (as authorised); the proposed amendments to the EA; and questions of clarification. (Refer to Appendix 1).
3	Discussion
3.1	<p>Two proposed new gridline routes</p> <p>The presentation stated:</p> <ul style="list-style-type: none"> • <i>“The Applicant wishes to amend the authorised grid connection (realignment and termination point) and create a separate EA for the ESKOM’s self-build components (substation & gridline).</i> • <i>The Applicant has 2 preferred possible routes, and proposes to undertake 2 x BAR processes for the 2 possible routes. (whilst 1 x BAR process could potentially be undertaken with 2 alternatives, the Applicant would prefer to undertake 2 x BAR processes, i.e. one for each possible alignment. The same shared substation (current authorised in the Paarde Valley PV2 EA, would be included in the BAR processes). DFFE to please confirm that this would be acceptable.”</i> <p>AP of Mulilo provided motivation for the realignment of the gridline. He stated that Eskom has grid capacity constraints in the Northern Cape, and at certain lines and on certain substations. Eskom does not have capacity for the Paarde Valley PV2 to connect at the De Aar substation (the original authorised grid connection was routed from the PV facility to the De Aar substation); Currently, there are two possible grid connection points that the Paarde Valley PV2 could use and it is not yet known which of the two possible substations the Paarde Valley PV2 will be required to connect to. Consequently, the Applicant wishes to commence two parallel but separate processes to obtain environmental authorisation for two possible routes. The one route runs from the Paarde Valley PV2 facility to the Mulilo Cluster 1 Substation (This is the substation that will be constructed on the site of the RMIPPP preferred bidder project called Mulilo total Hydra Storage, or “MTHS”). There are two proposed alternative alignments for this route, both of which would be assessed and it is understood that only one would be approved. The other possible connection point is the Vetlaagte Main Transmission Substation (MTS) (which is currently undergoing its own EA process) and the second route runs from the Paarde Valley PV2 facility to this MTS.</p> <p>CA asked for confirmation of his understanding, which was as follows:</p> <ol style="list-style-type: none"> 1. 1 x Basic Assessment Report (BAR) for the route to Mulilo Cluster 1 Substation (2 alternatives)

	<p>2. 1 x BAR for the route to the Vetlaagte MTS grid connection (only 1 alternative)</p> <p>AP confirmed that CA's understanding was correct, and that one BAR process would be dropped if it becomes known which substation will be connected to.</p> <p>CA confirmed that this is in order.</p>
3.2	<p>NH queried whether it is possible to have overlapping components within two EAs.</p> <p>CA confirmed that this is acceptable, provided that the infrastructure that is to be shared is clearly stipulated and described in the applications and reports. CA confirmed that the Paarde Valley PV2 facility's EA must undergo a Part 1 Amendment process to remove the "Eskom portion" (more accurately referred to as the switching station) of the already approved on-site substation from the EA.</p>
3.3	<p>AP stated that he would prefer the specialists to reassess the substation. He also queried the need to amend the PV facility's EA to remove the substation.</p> <p>CA & HA confirmed that they cannot authorise the same infrastructure in two different EAs which will belong to two different legal entities.</p> <p>HA confirmed that they can only authorise one grid connection route (per application) after AP queried whether DFFE could authorise 2 alternatives in one application.</p> <p>CA & HA confirmed that the PV facility's EA must be amended to remove the Eskom switching station portion.</p>
3.4	<p>RD mentioned that the substation will need to be split between the Paarde Valley PV2 facility EA and the grid connection EA. The half that will be within the Paarde Valley PV2 facility EA is referred to as the 'substation' and the other half within the grid connection EA is referred to as the 'switching station'.</p> <p>CA confirmed that the Paarde Valley PV2 facility EA must be amended to include only half of the substation and the other half of the substation must be included in the grid connection BARs (as shared infrastructure).</p> <p>NH queried the timing of the abovementioned applications. CA confirmed that the applications may run simultaneously (i.e. Part 1 & BARs) but that DFFE would want to issue the EAs at the same time.</p>
3.5	<p>RD stated that the substation terminology in the PV facility's EA is vague i.e. does not provide dimensions or coordinates, and queried whether it would be possible to avoid amending the EA to remove half of the substation.</p> <p>CA stated that one must refer not just to the EA, but also to the final EIA report, as the EA was issued during a time when information from reports was not thoroughly reflected in EAs. RD asked HA if he could send the EA and report to HA to get his guidance in this regard. HA agreed.</p>
3.6	<p>The presentation stated:</p> <p><i>"Timeframes: Can the expedited timeframes (57 days for decision making) apply if applying for "up to 400kV" for the transmission line. (If 132kV is a possibility, does this need to be assessed as an alternative in the BAR, or can one assess the "up to</i></p>

	<p>400kV”).”</p> <p>CA said that he will need to consult his colleagues on this point. There is an amendment to GN 113 currently out for comment in this regard, but nothing has been gazetted as of yet. CA asked H&A to make this an “action point’ for DFFE to act on and provide feedback. H&A confirmed that they will do this and send the list of “action points” to them before the end of the day.</p>
3.7	<p>NH asked whether a Site Sensitivity Verification Report could be submitted prior to submitting the application to obtain agreement on the specialist studies required. HA and CA confirmed that this is not possible and the SSVR must be submitted together with the application. HA emphasised that a detailed motivation of why certain specialists were excluded is required and that proof of an investigation into the requirement / exclusion of a specialist must be shown / submitted.</p>
3.8	<p>EIA Listed Activities</p> <p>NH queried the process required to add erroneously omitted Listed Activities into the EA.</p> <p>CA stated that the EAP must write a letter to DFFE indicating the request to add Listed Activities to the EA under Regulation 27(4) of the EIA Regulations 2014, as amended. The letter must include the EAPs opinion as to why the Activity must be added to the EA, state that it was assessed and indicate where exactly the activity was assessed in the Report. The evidence must be clear and included in the letter (appendices etc).</p> <p>CA mentioned that the Application is used to draft Authorisations, not the report and thus if the Listed Activity was left out of the application, then it can be difficult to include it in the EA.</p> <p>CA confirmed that if the activity was not clearly assessed by the specialist, a new process will be required to obtain authorisation for the activity.</p>
3.9	<p>Splitting of the EA</p> <p>The presentation states:</p> <ul style="list-style-type: none"> • <i>The Applicant potentially wishes to amend the EA for the authorised PV project, i.e. to split the project from 1 x 150 MW PV facility to 2 x 75 MW PV facilities (and the associated split of the EA)</i> • <i>The split of the EA may result in changes to the authorised layout of the facility/ies and will likely require a split of the project’s EMPr.</i> • <i>DFFE to please provide guidance with respect to the Application process to be followed (Part 1 vs Part 2).</i> <p>CA confirmed that should no new Listed Activities be triggered and there is no change in the scope and level of impact of the project, a Part 1 process may be followed. CA & HA believe that the EMPr should be split accordingly and that each EMPr must be applicable to each EA, but they would like to consult their colleagues before providing official advice. This was added to the list of “action points” for DFFE’s consideration.</p> <p>HA added that it is very important that the application to split the EA must clearly stipulate what must be included in the one EA and what must be included in the other EA.</p> <p>NH queried whether a Part 1 process may be followed even if there is a change in the layout of the project. HA confirmed that as long as the layout remains in the assessed footprint, and there is no change in the overall impacts, a change in the</p>

	layout can be included as a Part 1. CA stipulated that shared infrastructure must be clearly described in the application.
3.10	<p>Extension of EA validity period</p> <p>The presentation states:</p> <ul style="list-style-type: none"> • <i>“The EA currently expires 7 September 2022, and was originally issued on 7 September 2012.</i> • <i>The Applicant wishes to motivate for the extension of the validity period beyond 10 years.”</i> <p>AP provided a motivation for the extension of the EA beyond 10 years. He stated that the project has recently been bid in to a tender process for a private off taker and the extension of the EA is required to meet the procurement timeframes of the off taker. AP mentioned that an approximate 18 month extension will be all that is required.</p> <p>CA confirmed that there is nothing stopping the applicant from applying for the extension beyond 10 years. He confirmed that they will ‘apply their minds’ once the motivation for extension has been presented to them. With this said, CA emphasised the importance of strong, valid reasons for the extension.</p>
3.11	As a final comment, CA suggested the applicant and EAP must work out the most streamlined process to follow considering the numerous actions being proposed for this project. He stated that another option would be to start two new applications of 75 MW each, along with the 2 BAR processes for the gridlines instead of proceeding with the EA extension, split and addition of Activities.
3.12	<p>NH queried whether the split of the EA and extension of the EA could be carried out in one Part 1 Amendment process.</p> <p>HA confirmed that this could be done, and if one part of the application (for example the EA extension) is not authorised, this will not influence the authorisation of the other parts of the application.</p>
4.	Way Forward
4.1	As the meeting had run almost 30 minutes over time, there was no time to clearly summarise the way forward. As described above, CA suggested that the Applicant and EAP took some time to carefully determine the most streamlined way forward for the project to avoid running into authorisation issues at a later stage in the process/es.
4.2	<p>NH thanked everyone for attending the meeting and for their valued comments and inputs.</p> <p>The meeting closed at 11h30.</p>

APPENDIX 1:
POWERPOINT PRESENTATION

**75 - 150MW PV2 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, INCLUDING GRID CONNECTION, NEAR DE AAR, NORTHERN CAPE:
AMENDMENTS OF THE ENVIRONMENTAL AUTHORISATION**

DFFE REFERENCE NUMBER:
12/12/20/2500

DFFE PRE-APPLICATION MEETING: 14 DECEMBER 2021

Holland & Associates
Environmental Consultants

1

Purpose of Meeting

- Provide a brief background & description of the project (as authorized)
- Present and discuss the proposed amendments, including:
 1. Proposed changes to the alignment of the authorised grid connection, i.e. two proposed new gridline routes to replace the authorised gridline. (Authorised substation and new gridlines to have their own EA, separate to the EA of the PV facility).
 2. Adding Listed Activities in terms of NEMA EIA Regulations, 2014 (as amended) into the EA (which were erroneously omitted)
 3. Potential split of the PV EA (from 1 x 150MW project to 2 x 75MW projects)
 4. Extension of EA validity period of EA
- Provide an opportunity for discussion & questions of clarity

2

Background

- Location:
 - ~2.75km north of the centre of the town of De Aar, Northern Cape Province.
 - Located in Central Corridor (not in REDZ).
- EA & Amendments granted by DFFE:
 - EA granted: 75 – 150 MW Paarde Valley PV2 - 7 September 2012 (i.t.o 2010 EIA Regulations)
 - Project description: 75 – 150MW PV2, including 132kv/220kv overhead line, roads, water supply infrastructure, stormwater infrastructure, internal access roads, buildings, substation and fencing.
 - 4 EA Amendments (change in SPV name, & extensions of the validity period)
 - **EA currently expires on 7 September 2022**
 - The EMPr was approved in the EA.

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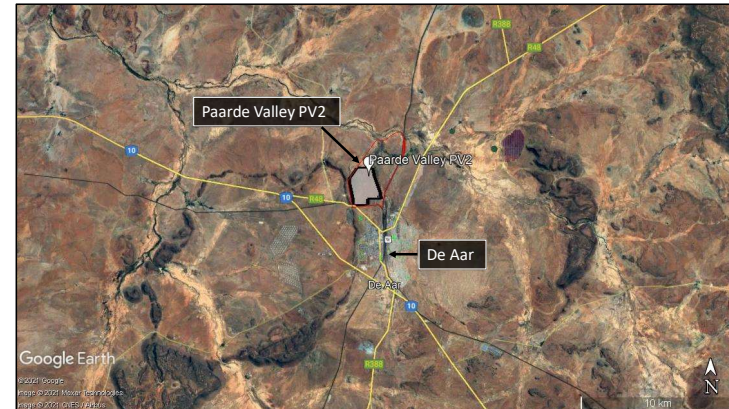


Figure 1: Location of 75 – 150 MW Paarde Valley PV2 approximately 2.75 km north of De Aar.

4

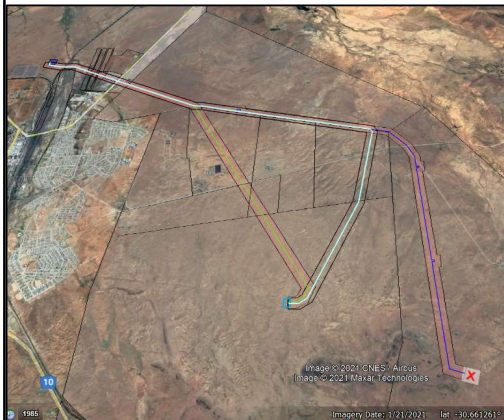
Proposed Amendments

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1. Two proposed new gridline routes

- The Applicant wishes to amend the authorised grid connection (realignment and termination point) and create a separate EA for the Eskom's self-built components (substation & gridline).
- The Applicant has 2 preferred possible routes, and proposes to undertake 2 x BAR processes for the 2 possible routes. (whilst 1 x BAR process could potentially be undertaken with 2 alternatives, the Applicant would prefer to undertake 2 x BAR processes, i.e. one for each possible alignment. The same shared substation (current authorised in the Paarde Valley PV2 EA, would be included in the BAR processes). **DFFE to please confirm that this would be acceptable.**
- The proposed grid connections fall outside of the authorised development footprint for the authorised project (and/or assessed transmission line corridor for the authorised project), therefore assume a new environmental authorisation process would be required.
- The proposed gridlines are expected to have a capacity of "up to 400 kV" (i.e. possibly 132kV – 400kV).

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The two proposed new gridline routes from the authorised onsite substation at Paarde Valley PV2, i.e.

- "Paarde Valley PV2 Vetlaagte MTS Grid Connection" (dark blue line); &
- "Paarde Valley PV2 Mulilo Cluster 1 Grid Connection"
 - 2 alternative routes
 - Light blue (preferred)
 - Green (alternative)

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1. Two proposed new gridline routes

- Basic Assessment process will need to be followed (regardless of whether 132kV or 400kV, given that the transmission line is located with the Central Corridor- **DFFE to please confirm.**
- Timeframes: Can the expedited timeframes (57 days for decision making) apply if **applying for "up to 400kV"** for the transmission line. (If 132kV is a possibility, does this need to be assessed as an alternative in the BAR, or can one assess the "up to 400kV").
- Considering the Applicant wishes to have a separate EA for the substation and gridline due to Eskom self-built requirements, authorisation of the substation would be included within this new BAR. **Would the substation and transmission line need to be removed from the Paarde Valley PV2 EA?**
- Specialist studies: Can a site sensitivity verification report be submitted to DFFE before the Application commences, to obtain agreement on the specialist studies required.

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2. Authorisation of additional Listed Activities

- Authorised Listed Activities in terms of 2010 EIA Regulations:

Listed activities	Activity/Project description
GN R. 544 Item 10: The construction of facilities or infrastructure for the transmission and distribution of electricity: (j) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.	132kv / 220kv transmission lines would be required to connect into Eskom's De Aar sub-station.
GN R. 544 Item 11: The construction of: (x) buildings exceeding 50 square metres in size; or (y) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.	Buildings and structures exceeding 50m ² are proposed for the PV facility and it is possible that these might be within 32 metres of small tributaries.
GN R. 545 Item 1: The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more.	The establishment of the 75-150MW photovoltaic solar energy facility.

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- Authorisation of Activity 14 of GN R. 546 - requested in EIA Report and assessed accordingly, but was not authorised. DFFE to please advise the process required to have this Activity (and other related to clearance of vegetation, (e.g. Activity 15 of LN2 (GN R.984, as amended), Activity 12 of LN3 added into the EA - in terms of Regulation 27(4) of the EIA Regulations and section 47A(1)(b) of NEMA.
- Activities in Listing Notice 3 of the 2014 EIA Regulations (as amended) may be triggered (considering the proximity of the site to a Protected Area (PA) and presence of CBAs). The proximity of the PA and presence of CBAs were not explicitly outlined in the original assessment process, however a specialist ecological impact assessment was undertaken. **DFFE to please advise** the Application process to be followed to get these Activities authorised.

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- **Possible** (to be confirmed) 2014 activities triggered and not currently included in EA:
 - LN1
 - 19, 28
 - LN2
 - 15 (The clearance of an area of 20 hectares or more of indigenous vegetation) (similarly listed to activity 14 of GN 546, which was explicitly assessed in the EIA for the project, but accidentally excluded from the application form).
 - LN3
 - 4, 12, 14 (to be confirmed) (due to proximity to protected area or CBA presence on site).
- Activities relating to clearance of vegetation - Accidentally excluded. Previously assessed. To be added using regulation 27(4) of the EIA Regulations, 2014 (as amended) and section 47A(1)(b) of the National Environmental Management Act, 1998 (Act 107 of 1998).
- If the presence of CBA's is the only potential trigger in a LN3 activity, given that CBAs have not been formally adopted by the competent authority, can the activity be triggered?
 - e.g. Activity 12 of LN3 ("The clearance of an area of 300m² or more... "within critical biodiversity areas identified in bioregional plans")

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3. Splitting of the EA

- The Applicant potentially wishes to amend the EA for the authorised PV project, i.e. to split the project from 1 x 150 MW PV facility to 2 x 75 MW PV facilities (and the associated split of the EA)
- The split of the EA may result in changes to the authorised layout of the facility/ies and will likely require a split of the project's EMPr.
- **DFFE to please provide guidance** with respect to the Application process to be followed (Part 1 vs Part 2).

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4. Extension of the EA's validity

- The Applicant wishes to extend of the validity period of the EA.
- The EA currently expires 7 September 2022, and was originally issued on 7 September 2012.
- The Applicant wishes to motivate for the extension of the validity period beyond 10 years.

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Proposed processes

1. Two proposed new gridline routes and separate EA for substation and gridline → 2 x Basic Assessment processes. **DFFE to confirm.**
2. Authorisation of omitted / additional Listed Activities → **DFFE to advise**
3. Split of EA → Part 1 Amendment process (Chapter 5 of GN R. 982). **DFFE to confirm.**
4. Extension of the EA's validity → Part 1 Amendment (Chapter 5 of GN R. 982) **DFFE to advise. Include specialist confirmations in motivation for proposed extension of the validity period.**
5. **Could extension of EA, adding in of listed activities (erroneously omitted, but previously assessed, and splitting of EA be undertaken in one process?**

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Discussion & Questions

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Thank you

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