

SIRIUS SOLAR PV PROJECT TWO, NEAR UPINGTON, NORTHERN CAPE PROVINCE
(DEA REF: 14/12/16/3/3/2/481)

COMMENTS AND RESPONSES REPORT

TABLE OF CONTENTS

1. COMMENTS RECEIVED DURING MOTIVATION REPORT REVIEW PERIOD.....1

The Sirius Solar PV Project Two application for amendment to the Environmental Authorisation and availability of the Motivation Report (MR) was announced on Thursday, 10 September 2020. The notification letter served to invite registered Interested and Affected Parties (I&APs) to submit any comments / queries that they might have on the application for amendment to the Environmental Authorisation.

The Motivation Report was made available for a 30-day review and comment period from **Friday, 11 September 2020** until **Monday, 12 October 2020**. The Comments and Responses Report (C&RR) has been updated with comments received during the review and comment period and included in **Appendix H5** of the final Motivation Report. A Revised Motivation Report has been made available for review and comments from 20 October 2020 to 20 November 2020. Comments received during this review period will be included within this C&RR for submission to the DEFF for review and decision-making.

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology, Palaeontology and Meteorites Unit	BA	Basic Assessment
BAR	Basic Assessment Report	BID	Background Information Document
BMM	Black Mountain Mine	CBA	Critical Biodiversity Areas
DEFF	Department of Environment, Forestry and Fisheries	C&RR	Comments and Responses Report
DBAR	Draft Basic Assessment Report	DAEARD & LR	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform
EA	Environmental Authorisation	EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme	HIA	Heritage Impact Assessment
I&APs	Interested and Affected Parties	LO	Landowner
NEMA	National Environmental Management Act	NC DENC	Northern Cape Department of Environment and Nature Conservation
NHRA	National Heritage Resources Act	OoS	Organs of State
SAHRIS	South African Heritage Resources Information System	SAHRA	South African Heritage Resources Agency
SARAO	South African Radio Astronomy Observatory	SCC	Species of Conservation Concern

1. COMMENTS RECEIVED DURING MOTIVATION REPORT REVIEW PERIOD

NO	COMMENT	RAISED BY	RESPONSE
1.	<p>The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final Motivational Report and EMPr:</p> <ul style="list-style-type: none"> • 8(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed amendment of the authorised development; • 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows: • A report detailing the results of the previously recommended monitoring of the construction phase must be submitted to SAHRA upon completion of the construction phase for review and comment; • 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the 	<p>Natasha Higgitt Heritage Officer South African Heritage Resources Agency</p> <p>Letter: 13 October 2020</p>	<p>The comments from SARHA on the proposed amendments for Sirius Solar PV Project Two are acknowledged.</p> <p>The conditions from SAHRA have been included in the updated Construction Phase EMPr (refer to Appendix J of the Final Motivation Report).</p>

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	<p>NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</p> <ul style="list-style-type: none"> <li data-bbox="264 304 857 587">• 8(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; <li data-bbox="264 587 857 624">• 38(4)d – See section 51(1) of the NHRA; <li data-bbox="264 624 857 1050">• 38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; <li data-bbox="264 1050 857 1118">• The Final Motivational Report and EMPr must be submitted to SAHRA for record purposes; <li data-bbox="264 1118 857 1225">• The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application. 		<p>The Final Motivation Report and the updated EMPr will be submitted to SAHRA for record purposes.</p> <p>The decision from DEFF regarding the application for the proposed amendments will be submitted to SAHRA and uploaded under the SAHIRIS Case application.</p>
2.	<p>SARAO has completed the preliminary risk assessment with regard to the electromagnetic emissions of the for the above mentioned solar PV facilities and its possible impact on the SKA radio telescope.</p>	<p>Selaelo Matlhane Spectrum & Telecommunication Manager</p>	<p>The comments from SARAO are acknowledged and have been forwarded to the Applicant for their records.</p>

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	<p>Based on the information provided on the motivation report, the facilities pose a low risk of interference on the SKA Infrastructure Territory.</p> <p>SARAO does not object the project but would appreciate if we can be kept updated with the developments of the project so that re-assessment can be undertaken and EMI control plan developed if mitigations are required.</p> <p>Thank you for your patience and our office remains open for any discussion relating to this project and its impact on the SKA radio telescope.</p>	<p>South African Radio Astronomy Observatory (SARAO)</p> <p>Letter: 12 October 2020</p>	
3.	<p>The battery storage system will be constructed within the authorized footprint and will not result in any additional impacts. Therefore, the Directorate Biodiversity Conservation does not have any objection to the proposed amendment application provided that the original recommendations and mitigation measures will be complied of.</p>	<p>Portia Makitla Case Officer Control Biodiversity Officer Grade B: Biodiversity Conservation DEFF</p> <p>Letter: 12 October 2020</p>	<p>The comments from DEFF's Biodiversity Directorate are acknowledged. No response is required.</p>
4.	<p><u>The Department has the following comments on the abovementioned amendment application:</u></p> <p>a) <u>Specific Comments</u></p> <p>(i) The draft EMPr and final facility layout map to be submitted with the final amendment motivation report must be updated to include and incorporate all mitigation measures recommended by the specialists.</p>	<p>Herman Alberts Case Officer DEFF</p> <p>Letter: 05 October 2020</p>	<p>The EMPr for the project has been updated to include the details of the proposed BESS within the authorised development footprint of the facility as per Condition 5 of the EA dated 09 July 2014. In addition, the EMPr is also updated to include mitigation measures for the management of impacts associated with the construction and operation of the BESS from a technical perspective. The updated EMPr is included as Appendix J of the Final Motivation Report.</p> <p>As the project is not yet a Preferred Bidder Project, the layout for the facility has not been finalised. The Applicant will comply with Condition 12 of the EA, which</p>

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			requires that the detailed layout of the facility be made available for a 30-day review and comment period prior to the commencement of the activity when the project has been granted preferred bidder status in a bid from the Department of Mineral Resources and Energy (DMRE). The final facility layout can therefore not be submitted at this time.
	(ii) The applicant is required to comply with Regulation 39 (1) of EIA Regulations 2014, as amended and submit a written consent of the landowners for the amendment application.		A signed copy of the landowner consent letter has been included in Appendix M of the Final Motivation Report.
	(iii) The EAP is to ensure that all the amendments applied for does not trigger any listed or specified activity as outlined in Regulation 31 of the EIA Regulations, 2014 as amended.		The EAP hereby confirms that the proposed amendments requested for Sirius Solar PV Project Two do not trigger any listed or specified activities.
	(iv) The final motivation report must include specialist input into a risk assessment for the Battery Energy Storage System, and updates to the EMPr to address these additional risks.		A Risk Assessment indicating the anticipated risks as a result of the construction and operation of the BESS is included in Section 6 of the Final Motivation Report. The updated EMPr includes mitigation measures for the construction and operation of the BESS from a technical perspective. The updated EMPr is included in the Final Motivation Report as Appendix J .
	b) <u>Public participation</u>		
	(i) A Comments and Response trail report (C&R) must be submitted with the final report. The C&R report must incorporate all comments for this application.		All comments received during the 30-day review period of the Motivation Report are included as Appendix H6 of the final Motivation Report. The C&RR contains all comments received and responses from the project team and applicant (where relevant) and is included as Appendix H5 of the final Motivation Report.
	(ii) The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter.		The C&RR contains all comments received and responses from the project team and applicant (where relevant) and is included as Appendix H5 of the final Motivation Report.
	(iii) Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as 'noted' is		Comments received from registered I&APs are included in Appendix H6 of the final Motivation Report and have been captured verbatim and responded to as applicable in the C&RR.

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	<p>not regarded as an adequate response to I&APs comments.</p> <p>(iv) Please ensure that all issues raised and comments received during the circulation of the draft report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final report.</p>		<p>Comments received from I&APs and organs of state on the Motivation Report during the 30-day public review period (Friday, 11 September 2020 until Monday, 12 October 2020) are included in Appendix H6 of the final Motivation Report and these comments have been incorporated into this C&RR attached as Appendix H5 to the final Motivation Report. Where applicable, comments received have been utilised in the preparation and finalisation of the final Motivation Report.</p> <p>The comments received from DEFF are included in the C&RR and have been responded to accordingly.</p>
	<p>(v) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.</p>		<p>Proof of correspondence with various stakeholders is attached in Appendix H2 (Consultation with I&APs) and Appendix H3 (Consultation with Organs of State) of the final Motivation. Proof of attempts that were made to obtain comments is attached in Appendices H2 and H3 of the final Motivation Report.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan. The approved Public Participation Plan is included in the final Motivation Report as Appendix H7.</p> <p>The Motivation Report was made available for a 30-day review and comment period from, Friday, 11 September 2020 until Monday, 12 October 2020. As per the approved Public Participation Plan, the availability of the Motivation Report was:</p> <ul style="list-style-type: none"> • Advertised in the Gemsbok Newspaper on 11 September 2020 (tear sheet included in Appendix H4 of the Revised Motivation Report). • Site notices were placed on 08 September (refer to Appendix H4 of the Revised Motivation Report). • Notification letter sent to all registered I&APs (Appendix H2) and Organs of State (Appendix H3) on the project database informing them of the

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			<p>application and that the Motivation Report is available for review and comment.</p> <ul style="list-style-type: none"> The Motivation Report was also made available for downloaded from Savannah Environmental's website and could also be sent via other file transfer services - i.e. We Transfer, Dropbox, etc. or on CD, on request, from Savannah Environmental.
	<p>c) <u>Layout & Sensitivity Maps</u> (i) The final report must include an environmental sensitivity map indicating environmental sensitive areas, buffer areas and features identified during the assessment process.</p>		<p>The updated layout as well as sensitivity maps is included in the Final Motivation Report as Appendix I.</p>
	<p>(ii) The final report must provide the technical details of the proposed facility in a table format as well as their description and/or dimensions.</p>		<p>The technical details of the BESS are included in Chapter 2 and section 2.2 of the Revised Motivation Report in the required format. The technical details of the authorised PV facility are included on page 5 of the EA dated 09 July 2014.</p>
	<p>(iii) A copy of the final layout map must be submitted with the final report. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:</p>		<p>As the project is not yet a Preferred Bidder Project, the layout for the facility has not been finalised. The final layout map for the facility will be submitted to the Department and made available for a 30-day review and comment period as per Condition 12 of the EA (dated 09 July 2014) prior to the commencement of the activity and when the project has been granted preferred bidder status in a bid under the Department of Mineral Resources and Energy (DMRE). The final facility layout can therefore not be submitted at this time.</p>
	<p>a) The location of the BESS;</p>		
	<p>b) All supporting onsite infrastructure e.g. roads (existing and proposed);</p>		
	<p>c) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</p>		<p>The layout map of the facility has been updated to include the BESS within the authorised development footprint of the facility. The layout has been updated in accordance with the requirements included in paragraph (a) – (f). The layout and sensitivity maps for the facility are included as Appendix I of the Revised Motivation Report.</p>
	<p>d) Buffer areas; and</p>		
	<p>e) All "no-go" areas.</p>		

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	<p>f) The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.</p>		
	<p>(iv) Google maps will not be accepted.</p>		
	<p>d) <u>Specialist assessments</u></p>		
	<p>(i) The maps used within the specialist studies must comply with comment c(i) of this comments letter.</p>		<p>The maps used in the specialist reports comply with comment c(i). The specialist reports are included in the Motivation Report as Appendix A – G.</p>
	<p>(ii) The EAP must provide confirmation that all specialists were provided with the same request of proposed amendments as well as ensure that the terms of reference for all the identified specialist studies include the following:</p>		<p>The EAP confirms that all specialists were provided with the same information (including terms of reference) as well as requests for the proposed amendments for Sirius Solar PV Project Two.</p>
	<p>a) A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.</p>		<p>The details as required in terms of this comment were provided to all specialists.</p>
	<p>b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.</p>		<p>A detailed description of the limitations to the specialist studies and the Motivation Report is included in section 5.1 of the Revised Motivation Report. The scope of the specialist studies did not require field work taking into consideration the fact that proposed amendments are within the authorised development footprint of the facility. Therefore, no development as a result of the proposed amendments will occur outside of the authorised development footprint of the facility, which was assessed in its entirety by the specialists during the undertaking of the EIA process in 2014. The studies undertaken as part of the EIA process considered seasonality as relevant. As a result, the latter in the comment is not applicable to the project.</p>

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	<p>c) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.</p>		<p>The comment from the Department is acknowledged. The Applicant has been made aware that development, including that of linear infrastructure such as access roads is not permitted in no-go areas. An updated sensitivity layout map of the facility, which illustrates no-go areas within the vicinity of the facility is included as Appendix I of the Revised Motivation Report. No infrastructure impedes on identified no go areas.</p>
	<p>d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.</p>		<p>The definition of the no-go areas from the specialists does not differ from that of the Department. Therefore, the latter comment is not relevant for the proposed amendments.</p>
	<p>e) All specialist studies must be final, and provide detailed/practical mitigation measures and recommendations, and must not recommend further studies to be completed post EA.</p>		<p>The specialist studies included in Appendix A – Appendix G are final and do not recommend any further additional studies to be undertaken to inform the assessment of impacts post the issuance of the decision on the proposed amendments by the Department.</p>
	<p>f) Should specialists recommend specific mitigation measures for identified turbine positions, these must be clearly indicated.</p>		<p>Recommended mitigation measures from the specialists EIA studies have been included in the updated EMPr. No additional mitigation measures were recommended by the specialists as a result of the proposed amendments. The updated EMPr is included as Appendix L of the Revised Motivation Report.</p>
	<p>g) Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.</p>		<p>Cumulative impacts as a result of the proposed amendments have only been identified for Ecology. The detailed description of the ecological cumulative impacts as a result of the proposed amendments for the facility are included in section 5.3.1 of the Revised Motivation Report. As the BESS falls within the authorised footprint of the PV facility, no additional cumulative impacts were identified by the specialists as a result of the proposed amendments.</p> <p>Cumulative impacts regarding the development of the facility were included in the EIA Report (2014) which was authorised by the Department on 09 July 2014.</p>
	<p>h) A detailed process flow to indicate how the specialists recommendations,</p>		<p>Cumulative impacts regarding the development of the facility were included in the EIA Report (2014) which was authorised by the Department on 09 July 2014. This</p>

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	<p>mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.</p>		<p>assessment considered impacts associated with other similar facilities in the area. As the BESS falls within the authorised footprint of the PV facility, no additional cumulative impacts were identified by the specialists as a result of the proposed amendments.</p>
	<p>i) Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.</p>		<p>The identified cumulative impacts were rated within the EIA process for the facility in accordance with the impact methodology and significance rating provided to the specialists. As the BESS falls within the authorised footprint of the PV facility, no additional cumulative impacts were identified by the specialists as a result of the proposed amendments. Therefore, no further assessment was required for the amendment.</p>
	<p>j) The significance rating must also inform the need and desirability of the proposed development.</p>		<p>The need and desirability for the proposed development was detailed within the EIA report undertaken for the PV facility. The need for the BESS is detailed within the Motivation Report. As the BESS falls within the authorised footprint of the PV facility, no additional impacts were identified by the specialists as a result of the proposed amendments.</p>
	<p>k) A cumulative impact environmental statement on whether the proposed development must proceed.</p>		<p>The identified cumulative impacts were rated within the EIA process for the facility in accordance with the impact methodology and significance rating provided to the specialists. As the BESS falls within the authorised footprint of the PV facility, no additional cumulative impacts were identified by the specialists as a result of the proposed amendments. Therefore, no further assessment was required for the amendment.</p>
	<p>(iii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p>		<p>The appointed specialists have not included contradicting recommendations as a result of the proposed amendments for Sirius Solar PV Project Two. Recommendations from the specialists are included in specialist input letters included as Appendix A – G of the Revised Motivation Report as well as in the EMPr (refer to Appendix J of the Revised Motivation Report).</p>
	<p>e) The EMPr must also include the following: (i) Please be informed that the following content must be incorporated within the EMPrs as</p>		<p>Details of the EAP who prepared the updated EMPr are included in Chapter 3 and section 3.1 of the updated EMPr. Curricula Vitae of the project team have been included as Appendix K.</p>

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	indicated in Appendix 4 of the EIA Regulations 2014, as amended: a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.		
	b) A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.		A map at an appropriate scale which superimposes the proposed activity as well as sensitivities is included in the updated EMPr as Figure 1.2 as well as Appendix D of the updated EMPr.
	c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including — <ul style="list-style-type: none"> ➤ Planning and design; ➤ Pre-construction activities; ➤ Construction activities; ➤ Rehabilitation of the environment after construction and where applicable post closure; and ➤ Where relevant, operation activities. 		A description of the impact management outcomes, including management statements and the risks that need to be avoided as a result of the proposed facility and the proposed amendments for Sirius Solar PV Project Two have been included in Chapter 6, 7, 8 and 9 of the updated EMPr.
	d) A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the		A description of the proposed impact management actions (referred to as Objectives in the EMPr) in which the impact management actions as per the requirement of paragraph (d) of Appendix 4 of the EIA Regulations have been included in Chapter 5 – 9 of the updated EMPr to address the items e) to n) raised in the DEFF comment (refer to Appendix L of the Revised Motivation Report).

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	EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to —		
	e) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;		
	f) Comply with any prescribed environmental management standards or practices;		
	g) Comply with any applicable provisions of the Act regarding closure, where applicable; and		
	h) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.		
	i) The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		
	j) The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		
	k) An indication of the persons who will be responsible for the implementation of the impact management actions.		
	l) The time periods within which the impact management actions contemplated in paragraph (f) of		

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	<p>Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.</p> <p>m) The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>n) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations.</p> <p>f) General</p> <p>(i) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.</p> <p><i>You are further reminded to comply with Regulation 32(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority -</i></p> <p><i>a) a report, reflecting—</i></p> <p><i>(i) an assessment of all impacts related to the proposed change;</i></p> <p><i>(ii) advantages and disadvantages associated with the proposed change; and</i></p> <p><i>(iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and</i></p> <p><i>(iv) any changes to the EMPr which report-</i></p>		<p>All mitigation measures and recommendations included as a result of the proposed amendments for Sirius Solar PV Project Two are as per recent guidelines.</p> <p>The comment from the Department regarding the timeframes for the submission of the Final Motivation Report as per Regulation 39(1)(a) of the EIA Regulations, 2014 (as amended) is acknowledged.</p>

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	<p>(aa) had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and</p> <p>(bb) reflects the incorporation of comments received, including any comments of the competent authority."</p>		
	<p>Should there be significant changes or new information that has been added to the motivation report or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 32(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority — (b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days".</p>		<p>A Revised Motivation Report, including the additional information requested by the DEFF, as well as the updated EMPr has been made available for a further 30-day review and comment period.</p>

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	<p>In the event where subregulation (1)(b) applies, the report, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.</p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 32 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.</p>		<p>A Revised Motivation Report, including the additional information requested by the DEFF, as well as the updated EMPr has been made available for a further 30-day review and comment period. Notification of submission of the Final Motivation Report to the DEFF within 140 days of submission of the application as per Subregulation 1(b) of the EIA Regulations, 2014 has been submitted to the Department.</p> <p>The comment from the Department is acknowledged.</p> <p>The comment from the Department is acknowledged and the Applicant has been informed that the proposed amendments for the construction and operation of the BESS cannot commence without an environmental authorisation being issued by the Department.</p>