

APPENDIX C6
COMMENTS RECEIVED

The bottom half of the page features a decorative graphic consisting of several overlapping geometric shapes. On the left, a large grey triangle points downwards. To its right, a red triangle points upwards. Further right, a light grey triangle points downwards. On the far right, another red triangle points upwards. These shapes create a dynamic, abstract composition.



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: 14/12/16/3/3/2/2171,2172,2173,2174

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 **E-mail:** tnyalunga@dffe.gov.za

Ms Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: (011) 656 3237
Email Address: joanne@savannahsa.com

PER E-MAIL / MAIL

Dear Ms Thomas

APPROVAL OF THE REQUEST IN TERMS OF REGULATION 3(7) OF THE EIA REGULATIONS, 2014, AS AMENDED FOR THE PROPOSED DEVELOPMENT OF A COMMERCIAL PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSOBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

The application for Environmental Authorisation and draft Scoping Reports (SRs) received by this Department on 24 June 2022, the comments on the draft SRs dated 25 July 2022, the final SRs received by this Department on 05 August 2022, the acceptance of the final SRs by this Department dated 16 September 2022, your request for extension in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended dated 08 November 2022 and received by the Department on 08 November 2022, and the acknowledgement thereof on 09 November 2022, refer.

This Department commented on the draft SRs on 25 July 2022, accepted the final SRs on 16 September 2022, and is awaiting an Environmental Impact Assessment Reports (EIARs) which must be submitted to this Department in terms of Regulation 23(1)(a) of the EIA Regulations, 2014, as amended.

This Department received correspondence in the form of a letter from Savannah Environmental (Pty) Ltd dated 08 November 2022 requesting an extension of the prescribed timeframes by a period of sixty (60) days within which the final EIAR is to be submitted to the Department.

The motivation provided is that according to the Screening Tool avifaunal theme and scoping avifaunal report, the study site and immediate surroundings have shown a high avian theme as the area is located within 20km of the known Cape Vulture (*Gyps coprotheres*) restaurants. Due to the limited level of detail that is normally implemented during a scoping assessment, it is imperative that detailed avifaunal investigations be conducted on the study area at an appropriate season. The EAP, Savannah Environmental (Pty) Ltd, was informed by the avifaunal specialist that due to unforeseen circumstances, they (the specialist) would only be able to provide their specialist report by beginning of December 2022. As this assessment has been included in the approved plan of study for the EIA Phase, it is therefore required to be submitted as part of the EIA Report in order to comply with the approved plan of study. Furthermore, the assessment is critical to understanding the acceptability of the project from an environmental perspective, and the EAP can therefore not provide a comprehensive conclusion as to whether the project should proceed without it.

Due to the above-mentioned unforeseen circumstances, the project schedule has been affected and this will influence the release date of the EIA Reports for public review, as well as the submission of the Final EIA Reports to DFFE for decision-making. The applicant and specialist consulting team are currently not able to provide the Competent Authority with the comprehensive information required to make an informed decision on the project within the prescribed timeframes.

Regulation 3(7) of the EIA Regulations, 2014, as amended states that *"In the event where the scope of work must be expanded based on the outcome of an assessment done in accordance with these Regulations, which outcome could not be anticipated prior to the undertaking of the assessment, or in the event where exceptional circumstances can be demonstrated, the competent authority may, prior to the lapsing of the relevant prescribed timeframe, in writing, extend the relevant prescribed timeframe and agree with the applicant on the length of such extension."*

The EAP requested an extension in the timeframe to submit the final EIAs in 166 days after the acceptance of the final SRs, which the EAP deems to be sufficient time to enable specialists to accurately assess the impacts, update their studies and provide the EAP enough time to conduct a Public Participation process on the draft EIAs before submitting the final EIAs to the Department.

Based on the motivation provided by the EAP, this Department has decided to grant the extension of the timeframes to submit the final EIAs in 166 days after acceptance of the final SRs. As such the Final EIAs must be submitted **on or before 31 March 2023**.

Failure to submit the final EIAs on or before the above-specified period will result in the applications lapsing in terms of Regulation 45.

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.

Should you have any queries or wish to discuss the points raised above, please do not hesitate to contact our offices.

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Mr Vusi Skosana
Designation: Director: National Integrated Authorisations
Date: 06 December 2022

cc:	Mr Armandt Andre Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@voltalia.com
	Ms Ouma Skosana	Northwest Department of Economic Development, Environment, Conservation and Tourism	Email: oskosana@nwpg.gov.za
	Mr Mali Ledwaba	Ditsobotla Local Municipality	Email: ledwabamali@gmail.com



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: 14/12/16/3/3/2/2173

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Ms Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: (011) 656 3237
Email Address: joanne@savannahsa.com

PER MAIL / E-MAIL

Dear Ms Thomas

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 120MW KIARA PV3 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSOBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated August 2022 and received by the Department on 05 August 2022, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated August 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIAR:

(a) Listed Activities

- (i) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (ii) The listed activities represented in the EIAR, and the application form must be the same and correct.
- (iii) The EIAR must assess the correct sub listed activity for each listed activity applied for.

(b) Public Participation

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- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. These include but are not limited to the North West Department of Economic Development, Environment, Conservation and Tourism, the Department of Agriculture and Rural Development, the Department of Water and Sanitation (DWS), the North West Department of Agriculture and Rural Development, the North West Department of Public Works and Roads, the North West Department of Community Safety and Transport Management, the North West Provincial Heritage Resources Authority (NWPHERA), South African Heritage Resources Agency (SAHRA), the South African National Roads Agency Limited (SANRAL), Eskom, the Ditsobotla Local Municipality, the Ngaka Modiri Molema District Municipality, the Endangered Wildlife Trust (EWT), BirdLife SA, the South African Civil Aviation Authority, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation.
- (ii) Please ensure that all issues raised, and comments received on the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final EIAr. Proof of correspondence with the various stakeholders must be included in the Final EIAr. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- (iii) A comments and response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments (pre and post submission of the draft EIAr) received for this development. The C&R report must be a separate document from the main report and the format must be in the table format which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&APs comments.

(c) Layout & Sensitivity Maps

- (i) The EIAr must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) The EIAr must provide the following:
 - Clear indication of the envisioned area for the proposed 120MW Kiara PV3 Solar Power Facility; i.e., placing of PV arrays and all associated infrastructure should be mapped at an appropriate scale.
 - Clear description of all associated infrastructure (locations, lengths, widths and/or capacities). This description must include, but is not limited to the following:
 - Access and internal road infrastructure;
 - All supporting onsite infrastructure such as laydown area, guard house and control room etc.
 - Infrastructures to be developed within watercourses;
 - Powerlines; and
 - All necessary details regarding all possible locations and sizes of the proposed on-site facility substation.
- (iii) A copy of the final preferred layout map. 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:
 - Permanent laydown area footprint;
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);

M.A

- Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - Powerlines;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Location of access and service roads;
 - PV arrays positions
 - All existing infrastructure on the site, especially railway lines and roads;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All “no-go” areas.
- (iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- (v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

(d) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies include the following:
- 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. Specialist assessments must be conducted in accordance with the Protocols.
 - 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.
 - 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.
 - Should the specialist definition of ‘no-go’ area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.
 - All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.
 - Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (ii) Regarding cumulative impacts:
- 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.
 - A detailed process flow to indicate how the specialist’s recommendations, 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.
 - Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
 - The significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.
- (iii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.

- (iv) Please be reminded that section 2(3) of NEMA requires developments to be socially, environmentally and *economically* sustainable, while section 2(4)(i) of NEMA requires the social, *economic* and environmental impacts of activities, including disadvantages and benefits, to be considered, assessed and evaluated.

(e) Environmental Management Programme (EMPr)

- (i) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the EIA Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programmes (EMPr), contemplated in Regulations 19(4) must be used over and above the EMPr for the PV facility. Accordingly, there needs to be a generic EMPr for the on-site substation, a generic EMPr for the overhead powerline and a third, separate EMPr for the PV facility.
- (ii) Please ensure that the mitigation measures specified in the EIAR, and specialist reports are also incorporated into the EMPr. In addition, ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.
- (iii) Please also include in the EMPr, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent authority.

(f) General

- (i) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.
- (ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.
- (iii) Confirmation of the availability of services (e.g., sewage, water etc. if required) must be included in the EIAR.
- (iv) Should a Water Use License be required, proof of application for a license needs to be submitted.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.

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.

Yours faithfully



Ms Matlhodi Mogorosi

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Ms Matlhodi Mogorosi

Designation: Deputy Director (Acting): National Integrated Authorisation Projects

Date: 16/09/2022

cc:	A Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@voltalia.com
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SCOPING PHASE



public works & roads

Department:
Public Works and Roads
North West Provincial Government
REPUBLIC OF SOUTH AFRICA

Modiri Molema Road
Old Parliament Complex
Mmabatho, 2735
Private Bag X 2080, Mmabatho,

CHIEF DIRECTORATE: TRANSPORT INFRASTRUCTURE

Tel.: +27 (18) 388 1398
Email: Sitase@nwpg.gov.za
Enq: K A Sitase

DIRECTORATE: PLANNING AND DESIGN

Ref: R15_11-1-1-3-1_SE3993-KIARA PV Cluster & Associated Infrastructure

SAVANNAH ENVIRONMENTAL (PTY) LTD

Savannah Environmental (Pty) Ltd

PO Box 148

Sunninghill

2157

For attention: **Nondumiso Bulunga**

COMMENTS/ CONSENT IN TERMS OF ACT NO 21 OF 1940 AND ROADS ORDINANCE NO 22 OF 1957 AS AMENDED: NOTICE FOR CONSULTATION FOR THE DEVELOPMENT OF SEVEN (7) PHOTOVOLTAIC (PV) FACILITIES AND ASSOCIATED INFRASTRUCTURE (i.e. KIARA PV 1; KIARA PV 2; KIARA PV 3; KIARA PV 4; KIARA PV 5; KIARA PV 6 & KIARA PV 7) ON SITES LOCATED APPROXIMATELY 16KM NORTH-EAST OF THE TOWN OF LICHTENBURG IN THE NORTH WEST PROVINCE. THE PROJECTS ARE LOCATED IN THE DITSOBOTLA LOCAL MUNICIPALITY WITHIN THE NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY, NORTH WEST PROVINCE.

AFFECTED PROVINCIAL ROAD (S) : D379_040
MUNICIPALITY : DITSOBOTLA LOCAL MUNICIPALITY
TOWN/ TOWNSHIP/ FARM : PORTION 2 AND THE REMAINING EXTENT OF THE FARM HOLLAAGTE NO. 8 JP
REGISTRATION NUMBERS :
CLIENT(S)/ APPLICANT : VOLTALIA SOUTH AFRICA (PTY) LTD

Your communication dated **24 June 2022** has reference. This consent is issued in terms of the **Advertising on Roads and Ribbon Development Act No 21 of 1940** and **Roads Ordinance No 22 of 1957** as amended.

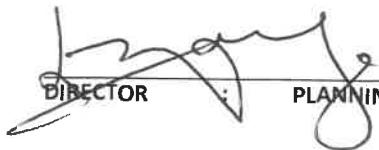
There is no objection to the proposed development, subject to the strict adherence of the attached **Specific and Special Conditions** and should form part of the proposed planning/ development, also that the conditions/requirements listed below are imposed and met in all respects by the applicant:



NOTE : A separate documentation (i.e. **Wayleave Approval**) will be issued for the approval for the **proposed New Power line to Watershed** (i.e. **132kV/ 275 kV Power lines cables**), either crossing and or running parallel to the provincial road(s).

A written confirmation of acceptance of the attached conditions is required. In the event of not receiving a written acceptance of conditions, the approval is withdrawn and this approval is cancelled.

Yours faithfully


DIRECTOR : PLANNING AND DESIGN

20/7/2022
DATE

LA MAFUNE

cc. : Mr A Lund, Tel. No.018-6323032, Private Bag X12030, Lichtenburg, 2740; 018-6326731

Attached : Locality Map_Kiara PV Facilities and Google_SE3993-Kiara PV Facilities

: Sketch Plan_34m Rd Reserve_Building Line Relax_Buildings

: Sketch Plan_25m Rd Reserve_Building Line Relax_Buildings



GENERAL CONDITIONS FOR THE PROPOSED DEVELOPMENT

NB: This wayleave is granted in favour of: **VOLTALIA SOUTH AFRICA (PTY) LTD.**

1. EXISTING AND FUTURE/ PLANNED PROVINCIAL ROADS

The existing and future/ planned provincial road(s) should be excluded from the proposed development(s). For more information see the attached Locality Map/ Drawings: **Locality Map_Kiara PV Facilities.**

2. ACCESS TO THE PROPOSED DEVELOPMENT

The existing access(es) to the affected land i.e. **Locality Map_Kiara PV Facilities** will be used for the above-mentioned development(s).

No additional access (es) will be allowed to Provincial Road(s) **D379_040** at all, without the written approval of the Controlling Authority (Department of Public Works and Roads).

3. NOTIFICATION TO THE DEPARTMENT

The **Department of Public Works and Roads (dpwr)** should be notified (with appropriate detailed plans) about any of the intention or planning and before the commencement thereof of the following: -.

- a. Construction of Permanent or Temporary Access(es) from any of the Provincial roads.
- b. Construction of any structures e.g. Buildings along the any of the Provincial roads.
- c. Closing and or Deviation of section(s) of the Provincial roads.
- d. Erection of Advertisement along the Provincial roads.
- e. Working inside the Road Reserves of any of the Provincial roads.
- f. Temporary or Permanent Closure of Traffic on either of the affected roads.
- g. Erection and or Construction of Overhead and or Underground Services e.g. *Water & Sewarage pipe lines, Electrical and Telephone Cable Lines across or parallel to the provincial roads.*
- h. Trees, Shrubs, Cultivated Grass, Gates or Road Fencing, and or any Road Signage and Furniture to be removed or damaged within the Provincial Road Reserve. If such assets were removed or damaged you will have to replace them to the entire satisfaction of the **Department of Public Works and Roads.**



4. BUILDING LINE

Except where the approval has been granted for services crossing and or development along the provincial road (s), it may be in terms of **Section 9 of the Advertising on Roads and Ribbon Development Act (Act 21 of 1940, as amended)** not to be laid nearer than **95m** from the centre line of the Road Reserve or within a **500m** radius measured from the centre line of the junction of a building restriction Road Reserve (except a National/ Municipal and or Private road), without the specific permission of the **Department of Public Works and Roads**. For any **SPECIAL/ SPECIFIC CONDITIONS** see **Clause 5** below.

5. **SPECIAL/ SPECIFIC CONDITIONS FOR THE PROPOSED DEVELOPMENT**

Your proposed development is hereby granted subject to the strict adherence of the conditions/requirements listed below and all Safety Measures by the applicant/ and or his contractors/ suppliers:

a. **ABNORMAL TRUCKS/ EQUIPMENTS**

Department of Public Works and Roads should also be notified with any of the intention of **transporting abnormal trucks/ equipments** on any of the above stated provincial road(s).

b. **BLASTING/ EXPLOSIVE OF ROCKS**

Any unstable conditions encountered or any rock requiring blasting to be reported directly and immediately to the *Departmental Roads Engineer/ Manager*.

Blasting to be done in accordance with the current applicable Explosives Regulations/ Acts and possible damage to the road must be excluded as far as possible.

Any damage to the road caused by unstable soil conditions (subsidence, etc.) or blasting must be repaired to the satisfaction of the: *Departmental Roads Engineer/ Manager*.



c. INDEMNITY OF THE PREMIER AGAINST CLAIMS

- i. You indemnify the **PREMIER OF NORTH WEST** and exempt him from any claim or damage which may be instituted or suffered by any person, including legal costs, as a result of the laying or erection of any service or any other works caused or erected by you, or as a result of negligence on your part to protect or maintain the service or other works caused by any other person unless you can prove negligence on the part of Department of Public Works, Roads and Transport or its officials.
- ii. The Department of Public Works and Roads will not be liable for any damage suffered by the applicant as a result of the development, operations carried out on road construction or road maintenance or any other operations whatsoever, unless negligence on the part of Department of Public Works, Roads and Transport or its officials can be proved.
- iii. The applicant shall indemnify the Department of Public Works and Roads or its officials and workers against any claims arising out of any death of or injuries to any person or damage to any property whatsoever (including services such as water pipes, telephone and or electric cables, etc.) caused by or resulting from the activities of the applicant in the road reserve.

d. ROAD RESERVE WIDTHS OF THE AFFECTED PROVINCIAL ROADS

Provision must be made for the following road reserves/ streets and must be excluded from the proposed development:

- i) Road **D379_040** with the varying road reserve widths of about **34m** and **25m**.

e. BUILDING LINE RELAXATION

The *Department of Public Works and Roads (DPWR)* is hereby grant the **minimum relaxation of the building line** from the **Standard 95m** as stated by **Clause 4: Standard Building Line** above as follows.

Also see the attached *Sketch Plans Road Reserve Widths*.

- i. **Road Reserve Width of 34m** : The Building Line Relaxation is **45m** from the centre of the Road Reserve; *(i.e. 28m from road reserve boundary)*.
- ii. **Road Reserve Width of 25m** : The Building Line Relaxation is **45m** from the centre of the Road Reserve; *(i.e. 32m from road reserve boundary)*.



f. LAND USE ALONG THE ROAD(S)

- i. No structure (Poles, Struts, Stays, Manholes, etc.) will be erected and or allowed inside any of the provincial road reserve(s), without the approval from this Department indicating the correct location/ position of the proposed development.
- ii. Land use of even build on the lines of no access shall be in accordance with the requirements of Executive Committee Resolution 1112 of 26 June 1978.
- iii. The applicant shall not erect/ built either permanent or temporarily structures, and or any informal structures along the above-mentioned provincial roads inside the road reserve until he has obtain written approval from the Deputy Director General: Department of Public Works and Roads (Dpwr) to do so

6 RESPONSIBILITY FOR THE COST OF (ACOUSTIC SCREEING) NOISE BARRIER

The applicant shall be responsible for any costs involved in the erection of Acoustic Screening (Noise Barrier).

7 ACCEPTANCE AND DISPOSAL OF STORM WATER

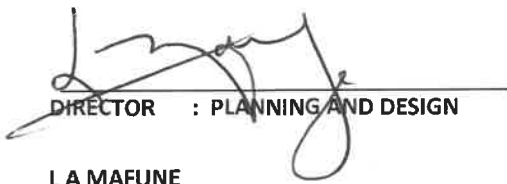
- 7.1** In terms of **Section 84 of the road Ordinance, 1957**, the applicant shall arrange the drainage of the proposed development(s) in such way that it fit in with the drainage of the provincial Road(s) **D379_040**, taking into account the capacity of the system.
- 7.2** The applicant/ local authority or whoever responsible for the drainage of the proposed development(s) shall receive and dispose all the storm water running from the road or being diverted from the road.
- 7.3** The state or the Provincial Administration will not be responsible for any damage caused by arising from such storm water.
- 7.4** Where, in the opinion of the Deputy Director General: Department of Public Works and Roads, the system for the above-mentioned road(s) is too small to cope with any increased volume of the storm as a result of the establishment or proposed development(s), the applicant/ local authority (whoever responsible for the drainage) shall be responsible for the cost of installing a larger drainage system for the provincial Road(s) **D379_040**.



- 7.5 The applicant/ local authority or whoever responsible for the drainage of the proposed development(s) shall built/ construct the drainage scheme at own cost simultaneously with the construction of the access (es).

It will be appreciated if you would kindly ensure that all the above conditions are included in the proposed and intended development(s). Should you have any question and or clarification in regard to the above-mentioned, please do not hesitate to contact this Department.

Yours faithfully


DIRECTOR : PLANNING AND DESIGN
L A MAFUNE

20/7/2022
DATE

Attached : *Locality Maps*:-

- : Google_NW 30-5-1-1-2_13314 PR
- : Locality Map_NW 30-5-1-1-2_13314 PR
- : Sketch Plan_16m Rd Reserve Building Line Relax_Mining
- : Sketch Plan_32m Rd Reserve Building Line Relax_Mining

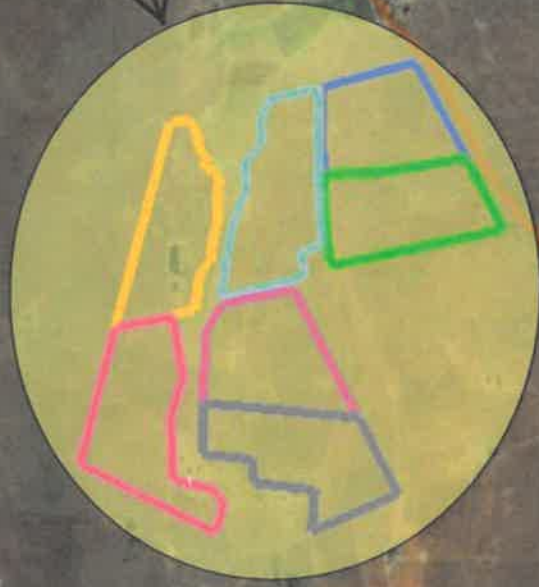


Google_SE3993-KIARA PV Facilities

Write a description for your map.

Legend

- Farm Portion Boundary
- Kiara PV1 Facility
- Kiara PV2 Facility
- Kiara PV3 Facility
- Kiara PV4 Facility
- Kiara PV5 Facility
- Kiara PV6 Facility
- Kiara PV7 Facility
- National Road
- Paved Road
- Un-Paved Road



7 km

Google Earth

Image © 2022 Maxar Technologies
Image © 2022 CNES/Airbus

Lichtenburg

R505

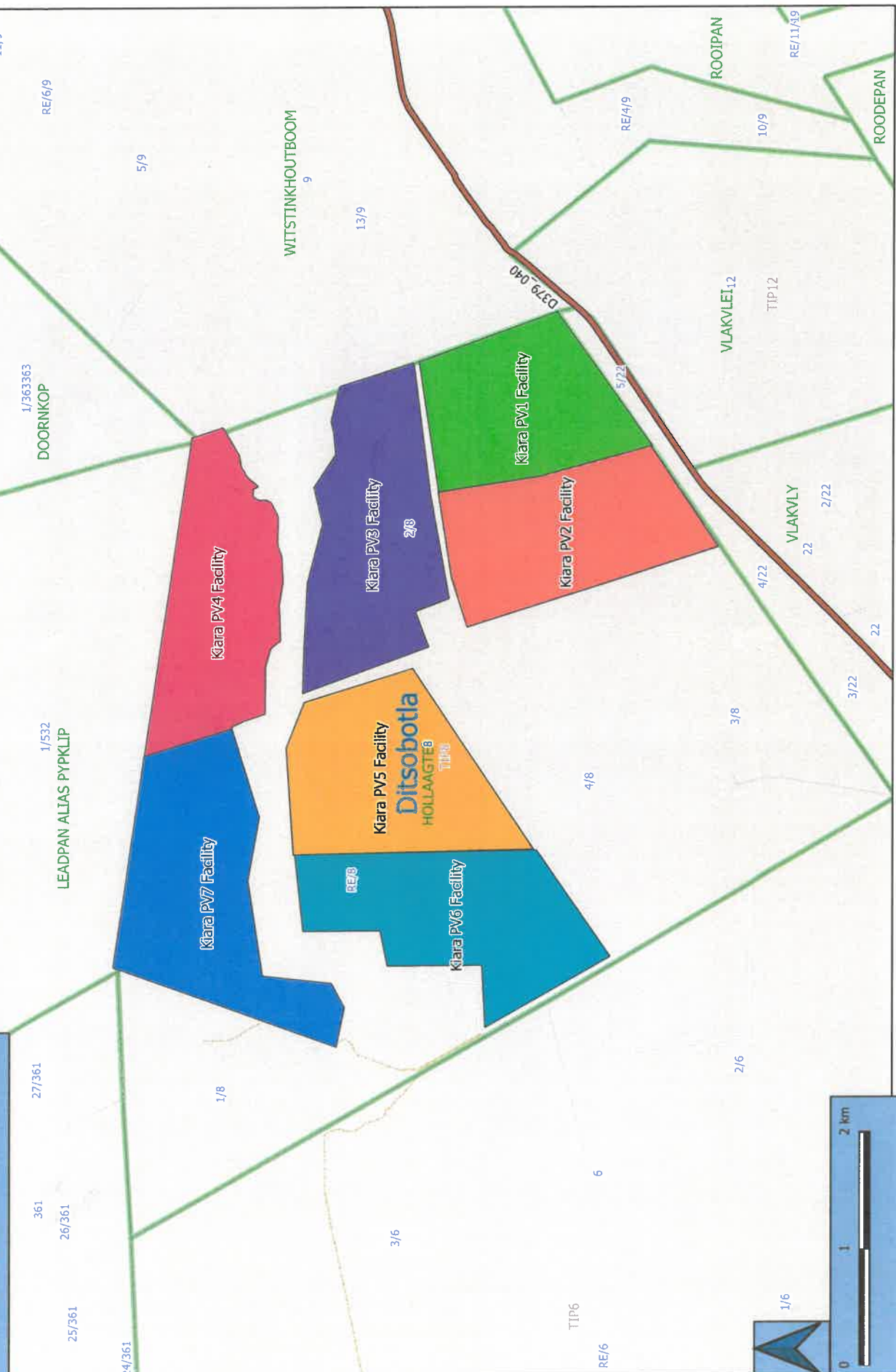
D404_070

D2365_010

D379_040

P3412_120

Locality Map_Kiara PV Facilities





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: 14/12/16/3/3/2/2171,2172,2173,2174

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 **E-mail:** TNyalunga@dffe.gov.za

Ms Rendani Rasivhetshela
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2191

Cellphone Number: (011) 656 3237
Email Address: rendani@savannahsa.com

PER MAIL / E-MAIL

Dear Ms Rasivhetshela

COMMENTS ON THE DRAFT SCOPING REPORTS FOR THE PROPOSED DEVELOPMENT OF THE 130MW KIARA PV1, PV2, PV3 AND PV4 PHOTOVOLTAIC SOLAR ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSOBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

The Applications for Environmental Authorisation and the Draft Scoping Reports (SR) dated June 2022 and received by the Department on 24 June 2022, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Reports:

(a) Listed Activities and Application Form

- Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Please provide the details, capacities and thresholds of the specific project infrastructure, not a repetition of the listed activity thresholds (i.e., a description of the dangerous goods facility infrastructure, capacity and location, and the length and width of the main access roads.
- It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property possibly falls within geographically designated areas in terms of Listing Notice 3 Activities. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected Critical Biodiversity Areas and Ecological Support Areas are fully assessed in the final EIAr.
- If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

(b) Layout & Sensitivity Maps

Please provide a layout map which indicates the following:

- The proposed location of the PV arrays and associated infrastructure of the proposed 130MW Kiara PV1, PV2, PV3 and PV4 Photovoltaic Solar Energy Facilities;
- The location of the proposed Kiara PV1, PV2, PV3 and PV4 solar PV facilities in relation to the cluster of the 3 additional planned PV facilities (i.e., Kiara PV5, PV6 and Kiara PV7);
- The proposed grid infrastructure connecting the PV facilities to the existing Watershed Substation, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- Google maps will not be accepted.

(c) Public Participation Process

- Please ensure that all issues raised, and comments received on the draft SR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments (pre and post submission of the draft SR) for this development. The C&R report must be a separate document from the main report and the format must be in the table format which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as “Noted” is not regarded as an adequate response to I&AP’s comments.

(d) Specialist Assessments to be conducted in the EIA Phase

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species),

have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.** Please note further that the protocols require the specialists' to be registered with SACNASP.

- Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.

(e) Cumulative Assessment to be conducted in the EIA Phase

- Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, 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.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.

(f) Environmental Management Programme

- The EMPr must include the following:
- It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.
- Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.
 - .

General

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

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.

Yours sincerely



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms Sindiswa Dlomo
Designation: Deputy Director: National Infrastructure Projects
Date: 25/07/2022

cc:	Mr Armandt Andre Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@votalia.com
	Ms Ouma Skosana	North-West Department of Economic Development, Environment, Conservation and Tourism	Email: oskosana@nwpg.gov.za
	Mr Mali Ledwaba	Ditsobotla Local Municipality	Email: ledwabamali@gmail.com



forestry, fisheries & the environment

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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: 14/12/16/3/3/2/2175

Enquiries: Ms Mathodi Mogorosi

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2157

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Email Address: rendani@savannahsa.com

PER MAIL / E-MAIL

Dear Ms Rasivhetshela

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 130MW KIARA PV5 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated June 2022 and received by the Department on 24 June 2022, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

(a) Listed Activities

- Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed. When including activities in the application form and Scoping Report, take note of the word **OR** in between the activities (sub-activities). Furthermore, kindly ensure that the latest listed activities, as amended in 2021, are applied for.
- It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property possibly falls within geographically designated areas in terms of Listing Notice 3 Activities. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected Critical Biodiversity Areas and Ecological Support Areas are fully assessed in the final EIAr.
- If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

(b) Layout & Sensitivity Maps

- Please provide a layout map which indicates the following:
- The proposed location of the PV arrays and associated infrastructure of the proposed 130MW Kiara PV5 Photovoltaic Solar Energy Facility;
- The location of the proposed Kiara PV5 solar PV facility in relation to the cluster of the six additional planned PV facilities (i.e., Kiara PV1, Kiara PV2, Kiara PV3, Kiara PV4 and Kiara PV6 and Kiara PV7);
- The proposed grid infrastructure connecting the PV facilities to the existing Watershed Substation, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- Google maps will not be accepted.

(c) Public Participation Process

- Please ensure that all issues raised, and comments received on the draft SR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
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(d) Specialist Assessments to be conducted in the EIA Phase

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in**

accordance with these protocols. Please note further that the protocols require the specialists' to be registered with SACNASP.

- Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.

(e) Cumulative Assessment to be conducted in the EIA Phase

- Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, 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.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.

(f) Environmental Management Programme

- The EMPr must include the following:
- It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.
- Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.

General

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

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.

Yours sincerely



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms Sindiswa Dlomo
Designation: Deputy Director: National Infrastructure Projects
Date: 25/07/2022

cc:	A Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@voltalia.com
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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: 14/12/16/3/3/2/2176

Enquiries: Ms Mathodi Mogorosi

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Ms Rendani Rasivhetshela
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: (011) 656 3237
Email Address: rendani@savannahsa.com

PER MAIL / E-MAIL

Dear Ms Rasivhetshela

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 130MW KIARA PV6 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

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This letter serves to inform you that the following information must be included to the Final Scoping Report:

(a) Listed Activities

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(b) Layout & Sensitivity Maps

- Please provide a layout map which indicates the following:
- The proposed location of the PV arrays and associated infrastructure of the proposed 130MW Kiara PV6 Photovoltaic Solar Energy Facility;
- The location of the proposed Kiara PV6 solar PV facility in relation to the cluster of the six additional planned PV facilities (i.e., Kiara PV1, Kiara PV2, Kiara PV3, Kiara PV4 and Kiara PV5 and Kiara PV7);
- The proposed grid infrastructure connecting the PV facilities to the existing Watershed Substation, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- Google maps will not be accepted.

(c) Public Participation Process

- Please ensure that all issues raised, and comments received on the draft SR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
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(d) Specialist Assessments to be conducted in the EIA Phase

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- 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.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in**

accordance with these protocols. Please note further that the protocols require the specialists' to be registered with SACNASP.

- Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.

(e) Cumulative Assessment to be conducted in the EIA Phase

- Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
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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.

Yours sincerely



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms Sindiswa Dlomo
Designation: Deputy Director: National Infrastructure Projects
Date: 25/07/2022

cc:	A Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@votalia.com
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forestry, fisheries & the environment

Department:
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REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/2/2177

Enquiries: Ms Mathodi Mogorosi

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Ms Rendani Rasivhetshela
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PO Box 148
SUNNINGHILL
2157

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PER MAIL / E-MAIL

Dear Ms Rasivhetshela

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 130MW KIARA PV7 PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LICHTENBURG WITHIN THE DITSOBOTLA LOCAL MUNICIPALITY IN THE NORTH-WEST PROVINCE

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(b) Layout & Sensitivity Maps

- Please provide a layout map which indicates the following:
- The proposed location of the PV arrays and associated infrastructure of the proposed 130MW Kiara PV7 Photovoltaic Solar Energy Facility;
- The location of the proposed Kiara PV7 solar PV facility in relation to the cluster of the six additional planned PV facilities (i.e., Kiara PV1, Kiara PV2, Kiara PV3, Kiara PV4 and Kiara PV5 and Kiara PV6);
- The proposed grid infrastructure connecting the PV facilities to the existing Watershed Substation, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
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- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- 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.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in**

accordance with these protocols. Please note further that the protocols require the specialists' to be registered with SACNASP.

- Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.

(e) Cumulative Assessment to be conducted in the EIA Phase

- Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, 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.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.

(f) Environmental Management Programme

- The EMPr must include the following:
- It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.
- Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.

General

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

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.

Yours sincerely



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms Sindiswa Dlomo
Designation: Deputy Director: National Infrastructure Projects
Date: 25/07/2002

cc:	A Joubert	Voltalia South Africa (Pty) Ltd	Email: a.joubert@votalia.com
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Our Ref:



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Enquiries: Elijah Dumisani Katsetse

Tel: 0214624502

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CaseID: 18917

Date: Thursday July 28, 2022

Page No: 1

Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Savannah Environmental (Pty) Ltd

PO Box 148
Sunninghill
2157

The Applicant, **Voltaia South Africa (Pty) Ltd**, is proposing the construction of a photovoltaic (PV) solar energy facility (known as the Kiara PV 1 facility) located on a site approximately 16km north east of the town of Lichtenburg in the North West Province. The solar PV facility will comprise several arrays of PV panels and associated infrastructure and will have a contracted capacity of up to 100MW. The development area is situated within the Ditsobotla Local Municipality within the Ngaka Modiri Molema District Municipality. The site is accessible via an existing gravel road which provides access to the development area. The development area for the PV facility and associated infrastructure will be located on Portion 2 of the Farm Hollaagte No. 8. Six additional PV facilities (Kiara PV 2, Kiara PV 3, Kiara PV 4, Kiara PV 5, Kiara PV 6, Kiara PV 7) are concurrently being considered on the project site (within Portion 2 of the Farm Hollaagte 8 and the Remaining Extent of the Farm Hollaagte No. 8) and are assessed through separate Environmental Impact Assessment (EIA) processes. A facility development area (approximately 165ha) as well as grid connection solution have been considered in the Scoping phase. The infrastructure associated with this PV facility includes: PV modules and mounting structures Inverters and transformers Battery Energy Storage System (BESS) Site and internal access roads (up to 8m wide) Site offices and maintenance buildings, including workshop areas for maintenance and storage. Temporary and permanent laydown area Grid connection solution will include: Facility Substation Eskom Switching Station A 275kV powerline (16.6km in length) (either single or double circuit), to connect the PV facility to the Watershed MTS. The 132kV powerline from the on-site substation to the collector substation is approximately 1.2 km long.

Savannah Environmental has been appointed by Voltaia South Africa (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Kiara PV 1 facility and associated infrastructure on Portion 2 of the Farm Hollaagte No. 8 near Lichtenburg Ditsobotla Local Municipality, Ngaka Modiri Molemela District Municipality, North West Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, no



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107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development will entail the construction of a Solar PV facility with associated infrastructure that includes solar PV array comprising PV modules and mounting structures, inverters and transformers, cabling between the panels 132kV onsite facility substation/ 132kV power line from onsite substation to the switching collector substation, Battery Energy Storage System, site internal access roads (upto 8m wide), site offices and maintenance buildings, including workshop area for maintenance and storage, temporary and permanent laydown areas etc...

CTS Heritage have been appointed to provide heritage specialist input as part of the EIA process as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Levin, J. May 2022. Heritage Screener: Proposed Development of the Kiara PV 1 Facility and Associated Infrastructure, North West Province.

The specialist undertook a desktop survey of the larger project area and development footprint through a literature review of previous heritage impact assessment studies (Van Schalkwyk 1995, 2021; Van der Walt 2014; Levin 2021). Some of these reports include field assessments such as the (1995, 2019, & 2021) reports detail the broad area of Lichtenburg as heavily disturbed by previous mining, historical and contemporary agricultural activities. No heritage resources were identified during the 2019 field survey. While the 2014 and 2021 field assessments identified lithic scatters which were interpreted as evidence of MSA and LSA factories on which mobile groups practicing trans-humanism may have been attracted to the area by the abundance of chert for the production of stone tools. It is also noted that in some areas burrowing animals brought MSA artefacts to the surface where the sand cover was more than a metre and half thick and the possibility of subsurface material cannot be excluded.

It is likely that a similar archaeological signature will be present within the area proposed for this development and as such, a field survey to assess impacts to archaeological heritage resources is recommended.

The heritage screener also notes that the proposed development area is located in a geological deposit belonging to the Monte Christo Formation of the Chuniespoort Group. The Monte Christo Formation is within the Malmani Subgroup. These deposits have a very high sensitivity for impacts to palaeontological resources. This group is known to contain a range of shallow marine to intertidal stromatolites (domes, columns etc) and organic-walled microfossils. In addition, it is within this group that fossiliferous Late Cenozoic cave breccias

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have been identified, such as within the Cradle of Humankind region. A development located approximately 15 km away within the same geology was surveyed on foot by Bamford et al. 2019 as part of the Heritage Impact Assessment completed for the Lichtenburg PV facilities. The conclusion and recommendations in the 2019 PIA by Bamford were that after a thorough assessment the impact of the development was found to be negligible to extremely low. The same conclusion is drawn for the proposed project.

Interim Comment

The SAHRA's APM Unit acknowledges receipt of the DSR and Heritage Screener and the recommendations contained therein. SAHRA supports the recommendations of the specialist and requests that the following is undertaken in terms of section 38(3) of the NHRA (25 of 1999):

The specialist has recommended a field-based archaeological impact assessment. A field-based assessment of the impact to archaeological resources must be conducted by a qualified archaeologist. The report must comply with section 38(3) of the NHRA and the SAHRA 2006 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments, and the 2012 Minimum Standards: Archaeological Component of Heritage Impact Assessments. The Minimum Standards provides allowance for a Letter of Recommendation for Exemption that can be submitted by a qualified archaeologist should they deem it appropriate

The proposed development footprint is located in an area of Very High sensitivity for palaeontological resources as per the SAHRIS PalaeoSensitivity map. As such, a field-based Palaeontological Impact Assessment (PIA) is required to be conducted as part of the EA process. The desktop PIA must be compiled by a qualified palaeontologist and must comply with the SAHRA 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.

Further comments will be issued upon receipt of the above requested reports and the submission of the draft EIA with appendices.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

**Proposed development of the Kiara PV 1 Facility and Associated Infrastructure,
North West Province**

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Elijah Dumisani Katsetse
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/600018>

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CaseID: 18918

Date: Thursday July 28, 2022

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