

APPENDIX E5
COMMENTS & RESPONSE
REPORT



THE ESKOM SWITCHING STATION AND GRID CONNECTION INFRASTRUCTURE AS PART OF THE GRSPAN PV PLANT PHASE 1 (75MW), FRESS STATE PROVINCE

(DFFE REFs: 14/12/16/3/3/2/360/2)

COMMENTS AND RESPONSES REPORT

TABLE OF CONTENT

	PAGE
1. COMMENTS RECIEVED ON THE MOTIVATION REPORT	1
1.1. Organs of State	1
1.2. Interested and Affected Parties	9

The public participation process associated with the EA amendment application for the Eskom Switching Station And Grid Connection Infrastructure As Part Of The Grspan PV Plant Phase 1 (75MW) was initiated on Thursday, 03 August 2023. The Notification Letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries regarding the proposed project. The Motivation Report has been made available for a 30-day review and comment period from **03 August 2023** to **04 September 2023**. All written comments received have been included in this Comments and Responses Report (C&RR) and included in **Appendix E5** of the Motivation Report.

NOTE:

All comments captured in the C&RR are verbatim and have not been summarised.

LIST OF ABBREVIATIONS / ACRONYMS

C&RR	Comments and Responses Report	I&AP	Interested and Affected Parties
DFFE	Department of Forestry, Fisheries and the Environment	MW	Mega Watt
EAP	Environmental Assessment Practitioner	NEMA	National Environmental Management Act
EIA	Environmental Impact Assessment	PV	Photovoltaic

1. COMMENTS RECIEVED ON THE MOTIVATION REPORT

1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>COMMENTS ON THE DRAFT AMENDMENT REPORT APPLICATION FOR THE AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED ON 26 JUNE 2013 FOR THE ESKOM SWITCHING STATION AND GRID CONNECTION INFRASTRUCTURE AS PART OF THE SANNASPOS PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY PHASE 1, FREE STATE PROVINCE</p> <p>The Environmental Authorisation (EA) for the above-mentioned project issued on 26 June 2013, the amendments to the EA issued on 28 September 2015, 09 April 2018, 12 April 2021, 02 August 2021, 20 October 2021 and 19 January 2023 the application for amendment of the EA received by this Department on 09 June 2023, the acknowledgement letter dated 15 June 2023 and the draft amendment motivation report received by this Department on 03 August 2023, refer.</p> <p><u>Background</u></p> <p>On 26 June 2013 under reference: 14/12/16/3/3/2/360, SolaireDirect Southern Africa was issued an EA for the Sannaspos PV Plant Phase 1 (75MW) and associated infrastructure, located on Portion 0 of Farm 1808 Besemkop and Portion 0 of Farm 2962 Lejwe located approximately 45 km east of Bloemfontein, Manguang Metropolitan Municipality, Free State Province. Several amendments were issued since the original EA which included change of holder contact details, extension of validity period and splitting of the EA. The latest amendment was issued on 19 January 2023 under reference: 14/12/16/3/3/2/360/2/AM1. This amendment</p>	<p>Ms Trisha Pillay, Integrated Environmental Authorities: Priority Infrastructure Developments</p> <p>(DFFE)</p> <p>By Email: 04 September 2023</p>	<p>The comments from the DFFE have been noted. Specific responses are provided in the sections which follow.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>is required to extend the validity period of the abovementioned EA beyond the ten-year validity period.</p> <p><u>The Department has the following comments on the abovementioned amendment application:</u></p> <p>1. Application form</p> <p>(i) It is unclear the number of years the applicant is applying to extend the validity of the EA, as on page 07 of the application form it is stipulated "The amendment therefore requests that the validity period be extended by an additional 10 years until 26 June 2025," Please include the number of years the extension is being requested for.</p> <p>(ii) Kindly include a signed declaration of applicant in the final motivation report.</p> <p>(iii) Please take note the new templates for the following documents must be used when submitting the final amendment motivation report:</p> <ul style="list-style-type: none"> • Application for amendment of Environmental Authorisation • Applicant declaration form for the assessments undertaken for application for authorisation; • Specialist declaration form for the assessments undertaken for application for authorisation; and, • Consent from landowner/person in control of the land, on which the activity is to be undertaken. <p>These new templates can be accessed on the DFFE website: https://www.dffe.gov.za/documents/forms/legal.</p> <p>2. Public participation</p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final report.</p>		<p></p> <p>(i) A 2-year extension is being requested (i.e. from 25 June 2023 to 25 June 2025). This has been made clear in the revised application form submitted with the Final Motivation Report.</p> <p>(ii) A signed declaration of applicant is included in the revised application form submitted with the Final Motivation Report.</p> <p>(iii) It is noted that there are revised application forms available. The relevant form has been used for the updated application.</p> <p>(i) All written comments received from stakeholders and Organs of State are included in Appendix E5: Comments Received of the Final Motivation Report.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	(ii) 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 in chronological order. 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. 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 not regarded as an adequate response to I&AP's comments.		(ii) All comments received during the 30-day review and comment period of the Motivation Report have been captured verbatim in a C&RR (refer to Appendix E5: Comments & Responses Report), responded to as applicable, and included as a separate document to the final Motivation Report.
	(iii) 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. <u>Proof</u> of correspondence with the various stakeholders must be included in the final report. Should you be unable to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.		(iii) All comments received have been responded to, as applicable. Correspondence to and from the various stakeholders is included in Appendix E3: Proof of Notification in the final Motivation Report. The appendix also includes the proof of attempt to obtain comments from registered I&APs, the various key stakeholders and Organs of State. The Public Participation Process has been conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as follows: <ul style="list-style-type: none"> • Project database: <ul style="list-style-type: none"> ○ The register of I&APs has been updated prior to the release of the Motivation Report and has been updated throughout the 30-day review and comment period (refer to Appendix E1: I&AP Database). • Notification of availability of Motivation Report and Public Participation process announcement: <ul style="list-style-type: none"> ○ A Site Notice was placed at the development site on Thursday, 03 August 2023 (refer to Appendix E2: Site Notices & Newspaper Advertisement of the final Motivation Report).

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> o An advertisement was placed in the Volksblad, a community newspaper in the study area, on Thursday, 03 August 2023 (refer to Appendix E2: Site Notices & Newspaper Advertisement of the final Motivation Report). o The Notification Letter announcing the availability of the Motivation Report for the 30-day review and comment was distributed to all registered I&APs via email on 03 August 2023 (refer to Appendix E3: Proof of Notification of the final Motivation Report). <p>Organs of state that have jurisdiction in respect of the proposed development received personalised letters notifying them of the availability of the Motivation Report.</p> <ul style="list-style-type: none"> • Attempt to obtain comments on the Motivation Report: <ul style="list-style-type: none"> o An e-mail was sent to all registered I&APs and OoS as a reminder that the Motivation Report review and comment period would be ending soon and that the documents are still available on Savannah Environmental's website for download on 29 August 2023 (refer to Appendix E3: Proof of Notification the final Motivation Report). • Consultation: <ul style="list-style-type: none"> o Proof of consultation with I&APs and Organs of State throughout the 30-day review and comment period are included in Appendix E3: Proof of Notification of the final Motivation Report. • Comments & Responses Report: <ul style="list-style-type: none"> o All comments received during the 30-day review and comment period of the Motivation Report have been captured in this C&RR (refer to Appendix E5: Comments & Responses Report), responded to as applicable, and included as a separate document to the final Motivation Report.

NO.	COMMENT	RAISED BY	RESPONSE
	(iv) Please provide proof of the newspaper advert placement, site notice and communication with I&APs.		(v) refer to Appendix E2: Site Notices & Newspaper Advertisement of the final Motivation Report.
	(vi) The final report must also indicate that this draft report has been subjected to a public participation process.		(vii) Section 7 of the Motivation Report includes details of the public participation undertaken, including the details of the 30-day review period.
	<p>3. Specialist Letters</p> <p>(i) Please note, the gazetted protocols <u>do not</u> apply to applications for amendments to environmental authorisation. Please see the gazetted protocols which states that <i>“for protocols for the assessment and minimum report content requirements of environmental impacts for environmental themes for activities requiring environmental authorisation, as contained in the Schedule hereto.”</i></p> <p>(ii) The EAP must provide a reasoned opinion or conclusion, which considers the specialists' recommendations and outcomes of their assessments and provide sufficient motivation in support of approving the amendment application.</p> <p>(iii) The EAP must include a table of comparison showing the impact table findings of the initial studies versus the current information provided in the specialist letters to demonstrate the changes (if any) to the identified impacts and provide a reasoned conclusive opinion in support or dispute of the findings.</p> <p>(iv) Kindly take note that an updated EMPr must be submitted if there are any changes and recommendations made by the specialist that were not included in the approved EMPr.</p>		<p>(i) It is noted that the gazetted protocols do not apply to applications for amendments to environmental authorisation.</p> <p>(ii) A reasoned opinion, conclusion and recommendation regarding the amendment is provided in Section 6 of the Final Motivation Report.</p> <p>(iii) As detailed in the Motivation Report, impacts identified within the original report are still applicable for the proposed project, as concluded by the specialists who provided inputs to this motivation for amendment (refer to Appendix A-D of the Motivation Report). No additional impacts or changes in impact significance will result because of the amendments as the environment has not changed. A comparative table is included in Chapter 6 of the final Motivation Report.</p> <p>(iv) No changes or recommendations are made by the specialist for inclusion in the EMPr. Best practice management measures detailed in the Ecology specialist letter are already considered and included in the approved EMPr.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>General</p> <p>(i) The final motivation report for this proposed application for amendment is due on the 15 September 2023. Should you fail to meet this timeframe, your application will lapse and a new application for environmental authorisation will have to be applied for, should you wish to pursue the application further.</p> <p>(ii) Ensure that the requirements of the acknowledgement letter dated 15 June 2023 are fully addressed and referenced in the final report.</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>The final Motivation Report will be submitted within the timeframe specified.</p> <p>the requirements of the acknowledgement letter dated 15 June 2023 have been fully addressed and referenced in the final report.</p> <p>The Applicant is aware of the provisions of Section 24F of NEMA.</p>
2.	<p>SANNASPOS SOLAR PV FACILITY AND ASSOCIATED GRID CONNECTION - SE 3623 SANNASPOS SOLAR PV FACILITY.</p> <p>With reference to your letter dated 08/08 /2023.</p> <p>With reference to your above-mentioned application, I hereby inform you that our Client (OPENSERVE) approves the proposed work indicated on your drawings in terms Section 29 of the Electronic Communications Act 36 of 2005 as amended.</p> <p>Any changes/deviations from the original planning during or prior to construction must immediately be communicated to this office.</p> <p>Our Client (OPENSERVE)'s infrastructure is affected by this proposal and the routes are marked in GREEN on attached sketch as accurately as possible. We did our utmost to ensure that we indicate our route as accurate as possible and should you discover any of our cables that are not on the sketch please stop and contact us</p>	<p>Mothobi Martins Mvelaphande Trading (Telkom)</p> <p>By Email: 15 August 2023</p>	<p>The comments have been noted by the applicant. It is noted that the approval is valid for 6 months and that re-application is required if the work is not completed within this period. The relevant person will be contacted prior to commencement of construction work as requested.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>immediately to arrange a site meeting. Please make use of pilot holes in order not to damage our infrastructure. Therefore, any damages occurred during construction of work will be repaired at the customer's account. Consequently, the following conditions apply:</p> <p>Aerial Plant - At points of crossing, the overhead power lines should cross above the communications lines in accordance with and clearances stipulated in the Occupational Health and safety Act no 85 of 1993, Machinery regulations 20 – Crossings, and Electrical Machinery Regulations 15 – Clearance of Power Lines. If the specifications could not be met, all deviation costs will be for the applicant's account. We also refer to section 25 of Electronic Communication Act 36 of 2005.</p> <p>At points of crossing, the overhead power line should cross over the overhead communication lines with a minimum vertical separation of 0.8 meters.</p> <p>Suitable protection as laid down in section 5 of the Code of Practice should be provided at all important crossings.</p> <p>The crossing of supply lines or overhead service mains directly above or adjacent to communication poles must be avoided if possible. If not clearance of 3 meters must be provided.</p> <p>In order to minimize noise induction into the telecommunication systems, the angle of crossing between the overhead power line and all communication lines, should be as near to a right angle as possible – the following deviation from the right angle being permitted at:</p> <ul style="list-style-type: none"> • Power voltage of 48 kV and higher - 30 degrees • Power voltage of lower than 48 kV - 45 degrees <p>.....SWER must be as near as 90 degrees as possible</p> <p>Approved on condition that, should it later be found necessary to deviate the existing communication line due to existing noise</p>		

NO.	COMMENT	RAISED BY	RESPONSE
	<p>interference or any other reason whatsoever, the cost of such remedial action shall be repayable.</p> <p>Paragraph 2.4.1 of the Code of Practice stipulates the minimum acceptable horizontal separation between power and the communication lines and where this cannot be met, the design of the power line is also stipulated. This could apply between the attached plans and these requirements should strictly be adhered to.</p> <p>Calculations have shown that an earth fault on the high voltage Power lines will induce excessive low frequency induction into the Communication lines. As a result of this, the cost to deviate / alter the communication lines to prevent this induction will be for the power provider.</p> <p>Relocations of our Client (OPENSERVE) plant will be done at customer's request and will be a repayable project.</p> <p>Please notify the office within 21 working days from date of this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence, the liaison officer is Aletta Gabaitumele at tel. no. 0825216813.</p> <p>As important cables are affected, Mr Leonard Thikeson must be contacted at 051 435 70991 / 081 459 5420, (2) two weeks' prior of commencement on construction work. It would be appreciated if this office can be notified within 30 days on completion of construction work. Confirmation is required on completion of construction as per agreed requirements.</p> <p>On completion of this project please certify that all requirements as stipulated in this letter have been met. Please note that should any of our Client (OPENSERVE) infrastructure has to be relocated or altered as a result of your activities the cost for such alterations or relocations will be for your account in terms of section 25 of the Electronic Communications Act.</p>		

NO.	COMMENT	RAISED BY	RESPONSE
	This approval is valid for 6 months only, after which re-application must be made if the work has not been completed. Should our Client (OPENSERVE) infrastructure be damaged while work is undertaken, kindly call the Toll-free number 0800203951 immediately All of our Client (OPENSERVE) rights remain reserved. Mr Leonard Thikeson must be contacted at 051 435 70991 / 081 459 5420, Two weeks before any commencement of proposed work.		

1.2. Interested and Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	No Comments Received from Interested and Affected Parties		