

**SUN GARDENS SOLAR PHOTOVOLTAIC, EASTERN CAPE PROVINCE
(DFFE Ref. No.: 14/12/16/3/3/1/2455)**

COMMENTS AND RESPONSES REPORT

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The Basic Assessment (BA) Process for the Sun Garden Solar Photovoltaic (PV) was announced together with the Development of a Cluster of Renewable Energy Facilities located between Somerset East and Makhandla, Eastern Cape Province on Tuesday, 17 November 2020. The Background Information Document detailing all projects proposed as part of the cluster was distributed together with a notification letter which served to invite Interested and Affected Parties (I&APs) to register their interest in the project/s and to submit any comments / queries that they might have on the proposed developments.

The Basic Assessment (BA) Report was made available for a 30-day review and comment period from **Friday, 12 November 2021** to **Monday, 13 December 2021**. All written comments received during the BA process to date have been included in the table below and in **Appendix C7** of the Basic Assessment (BA) Report.

The C&RR is included as a separate document to the BA Report as **Appendix C9**.

Notes for the record from meetings are included as part of **Appendix C8** of the final BA Report and are not included as part of this Comments and Responses Report.

LIST OF ABBREVIATIONS / ACRONYMS

AIP	Alien Invasive Plant	EAP	Environmental Assessment Practitioner
BA	Basic Assessment	I&AP	Interested and Affected Party
BAR	Basic Assessment Report	EMPr	Environmental Management Programme
BID	Background Information Document	ESA	Ecological Support Area
CBA	Critical Biodiversity Area	KSW	Key Stakeholder Workshop
CEO	Chief Executive Officer	MTS	Main Transmission Substation
CIPC	Companies and Intellectual Property Commission	OoS	Organs of State
DFFE	Department of Forestry, Fisheries and the Environment	SANRAL	South African National Roads Agency Limited
DWS	Department of Water and Sanitation	PV	Photo Voltaic

1. COMMENTS RECEIVED DURING THE BASIC ASSESSMENT REPORT REVIEW & COMMENT PERIOD

1.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>Resource Protection Unit acknowledges the receipt of Basic Assessment Report (BAR) for the aforementioned project from the Water Use Authorization and Licensing unit, dated 12 November 2021. The BAR has been evaluation for Section 21 (c) & (i) water uses in terms of the National Water Act 36 of 1998 (NWA).</p> <p>This Unit does not have any objections to the proposed development. However, the following must be noted:</p> <ol style="list-style-type: none"> 1. Section 21(c) & (i) water uses regulates activities that occurs within the 1:100 year flood line or the delineated riparian habitat; whichever is the greatest and those within 500m from the boundary of a wetland. In the absence of the floodline study, the Act regulate any activities within the distance of 100m from the edge of a watercourse. 2. Development of any infrastructure within the regulated areas of watercourses constitutes a water use and requires water use authorisation in terms of the NWA. 3. For the infrastructure that will be developed within the regulated area, an application for water use authorisation must be submitted and authorisation be granted before undertaking the activities. 	<p>Ncamile Dweni Resource Protection Unit DWS</p> <p>E-mail: 23 November 2021</p>	<p>A water use authorisation process has been commenced with by the Applicant. This includes application for all activities within the regulated area as guided by the DWS in the Pre-consultation meeting with them.</p>
2.	<p>SANRAL has the following comments, with regards to the proposed development of Solaris Fields and Sun Garden Solar PV facilities and associated infrastructure in the Eastern Cape:</p>	<p>Chumisa Tsolekile-Njingana Engineering SANRAL</p>	<p>It can be confirmed that there will be no infrastructure within the National Road Reserve as the development of the PV facilities and associated infrastructure is not planned to take place near any national roads.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> • No installation of any infrastructure inside the National Road Reserve. • The solars must be erected at least 200 metres from the National Road Reserve boundary depending on the height of the solars, if this requirement cannot be met, then a good motivation has to be submitted to SANRAL as to why the solars should be erected closer. • All other buildings / structures should be erected at least 60 metres from the National Road Reserve boundary and / or 500 metres from any intersection. • If access is required from the National Road, an approval from SANRAL is required, otherwise access can be obtained from the nearest existing road. • A formal application together with the plans of the proposed wind farm must be submitted to SANRAL for consideration. • Construction of all work may only commence after written approval has been obtained from SANRAL. 	<p>E-mail: 06 December 2021</p>	<p>Access to the project site is ample with the presence of existing roads mainly consisting of national and regional roads. The project site is situated directly adjacent, to the west, of the N10 national road, which provides access to the project site and development envelope. No new access will be required from the national road.</p> <p>The required applications will be submitted to SANRAL if applicable.</p> <p>The required approvals will be obtained from SANRAL if applicable.</p>
<p>3.</p>	<p>Based on the information provided in the report, the site falls within the Cookhouse Renewable Energy Development Zone (REDZ) and within the Eastern Corridor of the Strategic Transmission Corridors. The project development area is located outside of any protected area and outside of any Critical Biodiversity Areas (CBAs) as defined in the Provincial Conservation Plan. The site is located within an extensive Ecological Support Area (ESA). No sensitivities were identified from a bat and avifaunal perspective. The drainage feature which occurs along the south-eastern boundary of the PV area would be vulnerable to impact, however, the layout proposed</p>	<p>M Rabothata Case Officer DFFE: Directorate Biodiversity Conservation</p> <p>Letter: 13 December 2021</p>	<p>The summary as provided by the DFFE: Directorate biodiversity Conservation is confirmed as correct, and no response is required.</p> <p>It needs to be noted that the letter's subject refers to and is applicable to the Sun Garden PV Facility applications although in the introduction paragraph the Solar Fields PV Facility and it is believed to be a typo.</p>

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	<p>ensures that all aquatic sensitivities identified through the Basic Assessment process are avoided and recommended buffer areas will be considered. There impacts likely to be associated with the development of the Solaris Fields PV Facility will be reduced to a low significance after the implementation of mitigation measures.</p>		
	<p>Notwithstanding the above, the following recommendations must be considered in the final report:</p> <ul style="list-style-type: none"> • Preconstruction walk-through of the approved development footprint must be conducted to ensure that sensitive habitats and species are avoided where possible. 		<p>The need for a preconstruction walk-through to be undertaken by the applicable specialists is included in the EMPr.</p>
	<ul style="list-style-type: none"> • Alien Invasive Plant Species Management and Rehabilitation Plans must be developed to mitigate on habitat degradation due to erosion and alien plant invasion and submitted as part of the final report. 		<p>An Alien Invasive Plant (AIP) and Open Space Management Plan is included in Appendix C of the facility EMPr (Appendix M1 of the BAR). In addition, the EMPr includes a requirement to develop a detailed method statement for the implementation of the alien invasive management plan and open space management plan for the site, as well as the requirement to develop and implement an alien, invasive and weeds eradication/control plan.</p>
	<ul style="list-style-type: none"> • Sensitive habitats in close proximity to the development footprint must be avoided or demarcated as No-Go area (i.e. Wetlands and Seeps). 		<p>Very high and highly sensitive areas have been excluded from the development footprint. Based on an analysis of the identified sensitivities for the project development area, no optimisation of the layout is required. The layout as presented within Figure 11.1 is therefore considered to be the most appropriate from an environmental perspective and is recommended for approval within the BAR.</p>
	<ul style="list-style-type: none"> • Appropriate buffer stipulated by relevant specialists must be established around medium sensitive habitats (i.e. Wetlands). 		<p>The required buffers as stipulated by the relevant specialists are avoided by the proposed layout of the facility as shown in Figure 11.1 of the BAR.</p>

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	<p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p>		<p>It can be confirmed that all requirements as outlined in the EIA guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy have been complied with.</p>
	<p>In conclusion please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.</p>		<p>It can be confirmed that notification to and correspondence with the DFFE: Biodiversity Conservation Directorate has been submitted via email to BCAdmin@environment.gov.za.</p>
4.	<p><u>This letter serves to inform you that the following information must be included to the final BAR:</u></p> <p>Public Participation Process</p> <ol style="list-style-type: none"> 1. Comments must be obtained from this Department's Biodiversity Conservation Directorate at the following contact details: BCAdmin@environment.gov.za. 2. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended. 	<p>Lunga Dlova Case Officer DFFE</p> <p>Letter: 13 December 2021</p>	<p>The written comments submitted by the DFFE: Biodiversity Conservation Directorate are included in this C&RR and included in Appendix C8 of the final BAR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C1) as follows:</p> <ul style="list-style-type: none"> » Project database: A register of I&APs has been compiled and updated throughout the BA process and is included in the final BAR as Appendix C2. » BA process announcements: <ul style="list-style-type: none"> • The BID, accompanied by a cover letter inviting I&APs to register on the project database was distributed via email to those I&APs identified and the relevant OoS on 17 November 2020 (refer to Appendices C5 & C6

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			<p>of the Final BAR.) The BA process announcement was a combined notification for all nine (9) project applications which form part of the larger cluster of renewable energy projects proposed.</p> <ul style="list-style-type: none"> • Advertisements announcing the commencement of the BA process were placed as follows (refer to Appendix C3 of the final BAR): <ul style="list-style-type: none"> ▪ Hartlandnuus – 12 November 2020 ▪ The Herald (Eastern Cape) – 12 November 2020 • Site Notices were placed on the affected properties on 04 December 2020 (refer to Appendix C3 of the final BAR) • Process Notices were placed at various public libraries throughout the study area on 03 December 2020 (refer to Appendix C3 of the final BAR). <p>» BA Report available for review and comment:</p> <ul style="list-style-type: none"> • The BA report was made available for public review and comment for a 30-day period from 12 November 2021 to 13 December 2021. • Registered I&APs were notified of the availability of the BA Report via e-mail on 12 November 2021 (refer to Appendix C6 of the final BAR). • Commenting authorities, the relevant municipal councillor and local and district municipalities which have jurisdiction in the area were notified of the availability of the report via email on 12 November 2021 and requested to provide written comments on the BA Report (refer to Appendix C5 of the final BAR). • Advertisements detailing the availability of the report and review period were placed as follows (refer to Appendix C3 of the BA Report): <ul style="list-style-type: none"> ▪ Hartlandnuus – 12 November 2021

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			<ul style="list-style-type: none"> ▪ The Herald (Eastern Cape) – 12 November 2021 » Attempt to obtain comments on the BA Report: <ul style="list-style-type: none"> • Email reminders were sent to all registered I&APs and OoS regarding the end of the review and comment period for the BA Report on 06 December 2021 (refer to Appendices C5 and C6 of the final BA Report). » Meetings (refer to Appendix C8 of the final BAR for meeting notes): <ul style="list-style-type: none"> • Virtual public participation process meetings were scheduled for 25 November 2021 at 14h00 and 18h00. • Virtual KSW held on 29 November 2021 at 09h00. • Virtual FGM was scheduled with Sarah Baartman District Municipality and Blue Crane Route Local Municipality Officials on 29 November 2021 at 12h00 • Virtual FGM with Eastern Cape DEDEAT Officials was scheduled on 29 November 2021 and upon request extended to 10 December 2021. A further request from the Department was received to hold the meeting in early January 2022, and it was rescheduled to 07 January 2022. » Consultation: <ul style="list-style-type: none"> • Proof of consultation with I&APs and OoS throughout the BA process is included in Appendices C5 and C6 of the final BAR. • Community / occupiers were consulted on a one-on-one consultation process on 12, 13 & 14 October 2021. The solar project information was presented in layman's terms and comments received were recorded (refer to Appendix C7). The information was also shared with the then Ward Councillor Sonkwala Phandulwazi and his Ward Committee Members. » Comments & Responses Report:

No.	Comment	Raised by	Response
			All comments received regarding the project during the BA process have been captured in this C&RR, which is attached as a separate document to the final BA Report (refer Appendix C9 of the final BAR).
	3. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.		All comments submitted by I&APs and the organs of state who have jurisdiction in respect of the proposed activity are addressed and included in this C&RR (refer to Appendix C9 of the final BAR). All comments submitted have been responded to adequately, where relevant.
	4. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR.		The written comments received from I&APs and OoS which have jurisdiction in respect of the application are included in Appendix C7 of the final BAR.
	5. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.		Proof of correspondence and consultation with the various stakeholders is included in Appendices C5 and C6 of the final BAR. These Appendices also include the proof of attempts to obtain comments on the BAR.
	6. All issues raised and comments received during the circulation of the draft BAR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).		All comments submitted by I&APs, OoS who have jurisdiction in respect of the proposed activity, and that of the DFFE, are captured in this C&RR and are adequately addressed, where relevant.
	7. The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.		The C&RR has been compiled as a separate document from the main report and is attached as Appendix C9 to the final BAR.
	8. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.		Comments submitted by I&APs have not been split and arranged according to categories but according to the date received and each comment submitted has been individually responded to.

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	<p>9. 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 ad-equate response to an I&AP's comments.</p>		<p>Comments submitted have been captured (copied) verbatim and have not been summarised and no comment has been responded to as "noted" but addressed as relevant.</p>
	<p>Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.</p>		<p>The Final BAR includes the period for which the Environmental Authorisation is required (refer to Section 11.6 of the final BAR).</p>
	<p>You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have 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."</p>		<p>The final BAR will be submitted within the required timeframes.</p>
	<p>Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes</p>		<p>No significant changes or new information have been added to the BAR. Therefore, additional public participation is not required.</p>

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	<p>have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days".</p>		
	<p>Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p>		<p>The final report will be submitted within the prescribed timeframe.</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 applicant is aware of this requirement.</p>

1.2. Key Stakeholders and Interested & Affected Parties

No.	Comment	Raised by	Response
1.	My company is a specialist piping fabricator and constructor and we, as a team, would like to engage in more renewable energy projects as opportunities present themselves. Our interests lie in wind, Solar and gas to power projects.	Grahame Britchford Project Manager: Arminco Piping Projects E-mail: 18 November 2020	The interest of the I&AP is noted. It is confirmed that the I&AP has been registered on the project database (Appendix C2). The details of the I&AP have been provided to the developer for their records.
2.	<p>(I) RECORD OF OBJECTION TO, AND ASSOCIATED COMMENT ON, CURRENT PUBLIC PARTICIPATION PROCESS, AND</p> <p>(II) REQUESTS FOR INFORMATION; EXTENSION TO UNREASONABLE COMMENT PERIOD; AND, A MEETING WITH THE ENVIRONMENTAL ASSESSMENT PRACTITIONER AND SPECIALISTS.</p> <p>1. The email notification of 3/9/2021 from Savannah Environmental refers.</p> <p>2. It is important to understand the overall (undivulged) context of the Wind Relic (Pty) Ltd. project and its development process to which the five (5) subject environmental applications relate and which are:</p> <ul style="list-style-type: none"> i. Hamlett Wind Farm (of up to 333MW and up to 37 turbines; authorization applied for by Hamlet (Pty) Ltd). ii. Ripponn Wind Farm (of up to 324MW and up to 36 turbines; authorization applied for by Ripponn (Pty) Ltd). iii. Redding Wind Farm (of up to 576MW and up to 64 turbines; authorization applied for by Redding (Pty) Ltd). iv. Aeolus Wind Farm (of up to 297MW and up to 33 turbines; authorization applied for by Aeolus (Pty) Ltd). 	<p>André van der Spuy AVDS Environmental Consultants</p> <p>Letter: 22 September 2021</p>	<p><u>Response by Jo-Anne Thomas via responding letter on 30 September 2021:</u></p> <p>With reference to your contention that you represent certain clients, we note that you did not disclose the details of your clients, making it impossible for us to confirm whether or not they are registered on the Renewable Energy Project databases. You are therefore hereby requested to provide us with the details of your clients so that we can formally register them as interested and affected parties ("I&APs") on the aforementioned databases. This will allow us to properly and fairly consider their specific interests in light of any comments they might submit regarding the impacts of the Renewable Energy Project on their interests.</p> <p>It also appears from your letter that you contrive to imply that there is no transparency in so far as all the projects collectively being undertaken in the Makhanda and Somerset East areas is concerned. In this regard we refer you to the EIA process adverts placed on 12 November 2020 in two newspapers, i.e. an English advert in the regional newspaper, the Herald, and an Afrikaans advert in a local newspaper, the Hartland Nuus. These adverts included the details of all the projects (i.e. 6 wind projects, 2 solar projects and a 400kV Main Transmission</p>

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	<p>v. A Transmission Substation and two 400kV powerlines (authorization applied for by Wind Relic (Pty) Ltd.</p> <p>3. The four Directors of the company Wind Relic (Pty) Ltd are the same 4 individuals who are also the Directors of the 4 different wind energy facility applicants listed above. They are also the same 4 directors of the Fronteer and Wind Garden Wind Farms which are also have being promoted by Wind Relic (Pty) Ltd. They are also the same 4 Directors the two solar farms (Solaris Fields and Sun Garden Solar farms) which are being prepared for environmental application shortly. In essence, all of the mentioned 8 different renewable energy projects within the Cookhouse Renewable Energy Development Zone (REDZ) are under the same directorship as that of the parent company, Wind Relic (Pty) Ltd. The 8 projects, along with the associated massive substation and powerline projects, are therefore merely all components of one massive renewable energy project within the Cookhouse REDZ in which "<i>splitting the whole project site into smaller projects as advised by Environmental Affairs</i>"¹ has been implemented according to strategic planning objectives and in order to facilitate passage of, and no doubt also reduce overall risk to, the massive Wind Relic project. The extent of the Wind Relic project, Director, Mr. Hylton Newcombe, has described as "<i>(providing) the geographic footprint to build one of the largest independent energy assets in the world</i>"². It is clear that the sole purpose of the Wind Relic venture is a commercial one in which it is expected that the different sub-projects components (and resultant commitments by them to the</p>		<p>Substation ("MTS")) proposed as part of a renewable energy cluster ("Renewable Energy Cluster").</p> <p>Further to this, the Background Information Document ("BID") distributed via email on 17 November 2020 to all registered I&APs included details of all the projects proposed as part of the Renewable Energy Cluster. The Basic Assessment Reports compiled and released for public review to date (i.e. the reports for the 6 wind farms and an MTS) ("Basic Assessment Reports") also all included details of all the projects proposed as part of the Renewable Energy Cluster. The cumulative environmental impacts of all the proposed projects in the vicinity of each development (including those as part of the larger Renewable Energy Cluster) are assessed within each report.</p> <p>It should therefore be clear that the details of all the projects proposed as part of the Renewable Energy Cluster have been public knowledge since the outset of the EIA processes being undertaken for all the various projects.</p> <p>In so far as the public participation process for each project is concerned, this is being undertaken in accordance with the Public Participation Plan approved by the DFFE ("PP Plan"). The PP Plan is included as Appendix C1 to the Basic Assessment Reports, and includes details as to how each requirement of the EIA Regulations, 2014 relating to public participation (i.e. Regulation 40 – 44) is to be met. The approved PP Plan includes, inter alia, provision for a 30-day public review period for the draft Basic Assessment Reports as well as the</p>

¹ WhatsApp message from Hylton Newcombe of the "Wind Relic Team", 25/5/2020

² Letter from Wind Relic (signed by Mr. Hylton Newcombe) dated 23/2/2020

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	<p>local affected environment and affected communities) will be ultimately be commercially traded by the four Directors for profit once the required authorisations are to hand, and as is the common course of such business in the renewable energy industry. The fact that Wind Relic had already advised, in a letter dated 23/2/2020, and in a show of confidence, its contracted landowners (being themselves beneficiaries of its "creation of profitable partnerships" with "Eastern Cape Landowners") that it had made efforts to procure turbines already in "December 2019" casts serious doubt on the associated environmental applications being independently managed, and administered by the Department of Forestry, Fisheries and Environment (DFFE), towards the required outcome of a fair decision which is free of undue government influence (the influential involvement of the DFFE during the early 2020 planning by Wind Relic having been noted). Unconditional statements³ of confidence to their partnered landowners made after having previously engaged with the Blue Crane Route Municipality⁴, DFFE, Eskom and other government and business stakeholders, "(t)his concept of co-operative engagement shapes the very essence of our strategy" and "(w)e are deeply committed to the promises we have made to all our partners (and stakeholders) in achieving this positive outcome", give sound reason for non-contracted and negatively affected Interested and Affected Parties (I&APs) to doubt the authenticity of the current Basic Assessment environmental applications. It is therefore quite clear that the current environmental applications</p>		<p>undertaking of virtual public participation meetings. Notwithstanding the provisions of the approved PP Plan relating to the 30-day period, it was decided to stagger the review periods for the draft Basic Assessment Reports and a 45-day review period is provided for each group of reports available. As previously indicated in our notification letters, the review periods are as follows:</p> <ul style="list-style-type: none"> » Redding Wind Farm, Aeolus Wind Farm and the REDZ 3 Power Corridor 400MTS - Friday, 03 September 2021 until Tuesday, 19 October 2021; and » Hamlett Wind Farm and Rippon Wind Farm - Friday, 10 September 2021 until Tuesday, 26 October 2021. <p>A number of virtual meetings have been arranged and held to date and further meetings are planned. Public participation process meetings have been advertised and notifications have also been provided to all registered I&APs. The various limitations surrounding the use of electronic media by some parties in the area (including occupiers) has also been taken into consideration. Regarding your concern, particularly in relation to the participation of occupiers, we should point out that face-to-face consultation meetings have already been planned to be undertaken (in Xhosa where required) within the aforesaid review periods in order to present the details of the projects and so that their issues and comments can be recorded for inclusion and response in the public participation process.</p>

³ Letter from Wind Relic (signed by Mr. Hylton Newcombe) dated 23/2/2020.

⁴ Blue Crane Route Municipality Presentation to Council dated 29/11/2018

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	<p>and legislated public participation process are merely the culmination of a long-orchestrated planning and engagement process (with selected stakeholders whose support is deemed to be crucial to the success of the Wind Relic project) which has been "set up" to achieve the conditions necessary for the Competent Authority to issue pre-determined decisions of approval – irrespective of what information and views the intentionally limited (evidently with endorsement of the Competent Authority) and exclusive public participation process may yield.</p> <p>4. This incremental developmental approach being undertaken by Wind Relic and its Directors of the associated companies, under advice of the DFFE, is not endorsed under the National Environmental Management Act, 2014, as amended (NEMA). This is because, apart from its business objectives, it is also designed to compartmentalize and minimize the actual (unacceptable) and extensive negative environmental impacts that the total Wind Relic proposed activity will obviously have on the receiving environment (including the declining Endangered Cape Vulture population) and to enable the different development parcels to be recorded and submitted separately and at different times to the Competent Authority thereby hiding the real total environmental impact of the Wind Relic development. The correct approach, under the guiding principles of integrated environmental management in Section 2 of NEMA which are necessary in order to achieve development which is environmentally sustainable, is for the Wind Relic entire project to be applied for as a whole and to be administered likewise.</p>		<p>We should, however, point out that considering the limitations (due to COVID-19 considerations) relating to the accessing of some public places (such as schools, libraries and municipal offices) at which hard copies of the draft Basic Assessment Reports would have been placed under pre-Covid circumstances, it is considered that the availability of reports via electronic format provides more accessibility to the majority of I&APs and stakeholders. Although the reports are available electronically on the Savannah Environmental website, copies can also be made available in hard copy or alternative electronic formats as per the specific requirements of I&APs (as was made clear in the notification letter distributed to them on 2 September 2021). This was done in order to address the specific needs of I&APs to ensure their meaningful participation.</p> <p>In this regard, we record that prior to your 22 September 2021 letter, we did not receive any requests from yourself for hard copies of the draft Basic Assessment Reports for the 5 applications currently out for public review. We hereby further place on record that your previous requests for copies of the Wind Garden and Fronteer reports were responded to and that we arranged for CourierIT to deliver copies of them on CD and USB to you on 24 August 2021. You, however, specifically refused the delivery thereof and in this regard we attach a copy of the relevant Tracking Report. As per your request in the 22 September 2021 Letter, hard copies of the 5 reports currently available for public review were couriered to you on Tuesday 28 September 2021. These reports describe and assess the proposed projects comprising the Renewable Energy Project and include a summary of the specialist studies</p>

No.	Comment	Raised by	Response
	<p>5. The five (5) wind farm environmental applications which are the subject of the current single public participation process are (some) components of the “Western Cluster” of Wind Relic’s overall renewable energy project. Approximately 35 kilometers further east, located north-east of Grahamstown, occurs the “Eastern Cluster” part of Wind Relic’s renewable energy project and which consists of 2 wind farm⁵ applications (at present) and for which the final Basic Assessment Reports were submitted to the DFFE last month. However, this still does not describe the full extent of Wind Relic’s massive renewable energy project as there remain additional planned renewable energy facility components by Wind Relic, such as the Solaris Fields and Sun Garden Solar Farms which will also require dedicated environmental applications to be submitted to the DFFE after due public participation. The strategically compartmentalized approach employed by Wind Relic in order to achieve their Cookhouse REDZ renewable energy project ambition, which Wind Relic has stated will be the biggest renewable energy project on the continent, thus becomes clear.</p>		<p>undertaken. The detailed specialist reports and other supporting information are included in appendices to the report. The reports must be read in conjunction with these appendices which include:</p> <p>Appendix A: EIA Project Consulting Team and Specialist CVs Appendix B: Authority Consultation Appendix C: Public Participation Process Appendix C1: Approved Public Participation Plan Appendix C2: I&AP Database Appendix C3: Site Notices and Newspaper Advertisements Appendix C4: Background Information Document Appendix C5: Organs of State Correspondence Appendix C6: Stakeholder Correspondence Appendix C7: Comments Received Appendix C8: Minutes of Meetings Appendix C9: Comments and Responses Report Appendix D: Ecological Impact Assessment Appendix E: Avifauna Impact Assessment Appendix E(1): Avifauna Peer Review Letter Appendix F: Bat Impact Assessment Appendix G: Aquatic Impact Assessment Appendix H: Soils and Agricultural Impact Assessment Appendix I: Heritage Impact Assessment Appendix J: Noise Impact Assessment Appendix K: Visual Impact Assessment</p>
	<p>6. It is also important to consider that this development is being squeezed within a the undeveloped remaining (unsuitable) area of the Cookhouse REDZ, which REDZ already saturated beyond its sustainable threshold⁶ by existing and approved wind farms, and which was from the start significantly environmentally unsuitable for any form of renewable energy development (given that it is</p>		

⁵ Fronteer and Wind Garden Wind Energy Facilities for which environmental authorisation has been applied for.

⁶ There should be no wind farms or powerline-related developments within the entire Cookhouse REDZ based solely upon the significant presence of the Endangered Cape Vulture. International studies that have long dictated that wind farm development near vulture habitat must be avoided at all costs. Likewise the presence of existing wildlife and ecotourism enterprises should direct all such developments away from the region and even the Cookhouse REDZ itself should rightly not exist.

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	<p>the confirmed habitat of Endangered Cape Vulture and many other endangered plant and animal species)⁷. It thus becomes obvious that the Wind Relic development within the Cookhouse REDZ will result in massive pollution of the sensitive environmental environment and will unquestionably amount to unsustainable environmentally unsustainable development. The proposed wind farm development will be damaging beyond meaningful mitigation and simplified justifications (of, for instance, the superseding "need" for renewable energy or the "fight" against climate change). Being located with confirmed vulture habitat it will undoubtedly be the greatest addition yet to the ongoing cumulative killing of Endangered Cape Vultures in the area – an impact that should rightly see prosecutions of the offending existing wind farms being undertaken and the same wind farms being removed entirely from the area. Flawed as this and some other REDZs are (being but the creation of overriding political and business ambitions) it was never intended that the entire Cookhouse REDZ should be developed from boundary to boundary and it is a gross misunderstanding to interpret a REDZ as a zone in which renewable energy is "encouraged" or in which environmental authorisations are a rightful expectation of proponents. Afterall, the Cookhouse REDZ falls within a critically important Albany Centre of Botanical Biodiversity and Endemism (the "Albany Hotspot").</p>		<p>Appendix L: Socio-Economic Impact Assessment Appendix M: Traffic Impact Assessment Appendix N: Environmental Management Programme (EMPr) Appendix N(1): Wind Farm EMPr Appendix N(2): Generic EMPr for Overhead Power Lines Appendix N(3): Generic EMPr for Substations Appendix O: Maps (A3) Appendix P: Specialist Declarations Appendix Q: EAP Declaration of Independence and Affirmation Appendix R: Additional Information Appendix R(1): DFFE Screening Report Appendix R(2): Preliminary Geotechnical Investigation Appendix R(3): Spatial Development Plan Appendix R(4): Draft Conservation Framework (Socio-economic development) Appendix R(5): Water Feasibility Study Appendix R(6): Water Requirements Appendix R(7): Sanitation Study</p> <p>Further to your request for the reports, we have noted your request for a meeting to discuss the Renewable Energy Projects. As previously indicated, a number of meetings have already been scheduled and held for the projects for which the reports are currently available for public review, including those advertised in the Herald and Hartland Nuus on 2 September 2021. We therefore further place on record that you have not previously requested a meeting to discuss any of</p>
7.	<p>The public participation process is a critically important aspect of the environmental application process as it is</p>		

⁷ The operating Cookhouse & Amakhala wind farms continue to kill endangered Cape Vultures still after many years without effective intervention of the DFFE or the industry and adjacent, newly-constructed Golden Valley Wind Farms do/ will do likewise. A concerted effort by the wind industry, DFFE and other wind farm-friendly conservation organisations (e.g. Birdlife South Africa) is underway to suppress outside knowledge of these killings.

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	<p>the means by which the proposed activity is amended in order to respond to local (affected) community needs and wishes. It is therefore as equally (or more) important as the applicant's interests and the specialist studies in the application process and <u>the proposed activity itself is required to respond and be amended</u> in order for to achieve "<i>the integration of social, economic and environmental factors...</i>"⁸ necessary to arrive at the "best practical environmental option"⁹ and which will then constitute sustainable development. <u>It is not sufficient for the Environmental Assessment Practitioner (EAP) and specialists to respond to I&APs concerns in mere words</u> (dismissals) put down in a Comments and Responses Report which is then appended to the Basic Assessment Report. This principle is seen under inter alia NEMA Section 2(4)(a)(viii) in which "<i>...negative impacts on the environment and people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimized and remedied.</i>" In other words, <u>no potential impact can be left unattended</u> to and the course of action by the EAP to deal with potential impacts is clearly given with the final option of action being that such impacts be "minimized and remedied". The current public participation process being conducted by Ms. Venter fails to meet these requirements, and is in essence an expediated box-ticking exercise, with the result that the proposed developments are nothing more than the applicants' and other proponents interests being imposed upon the local</p>		<p>the applications forming part of the Renewable Energy Cluster. We, however, did request a meeting with you to be held in Cape Town in March 2021 after you indicated you were unavailable to attend the meetings held in Grahamstown. You did not respond to our request until after our team had left Cape Town, and did not suggest an alternative date suitable to yourself for such a meeting.</p> <p>We are still available to meet with yourself and your, as yet unidentified clients to discuss the projects and record and respond to any issues and concerns. In the circumstances though, considering the risks associated with spread of COVID-19, arranging for the availability of all parties at an as yet undisclosed location and taking into account the fact that there are prescribed timeframes within which the final reports must be submitted, the meeting will be arranged to be held electronically on a time and date prior to the end of the review period on 26 October 2021 via an appropriate electronic forum (i.e. MS Teams, Zoom, Skype, etc). As you have indicated that you are unable to utilise such electronic fora, it is requested that you possibly make use of your clients' more advanced computer hardware for this purpose. Please advise a suitable date and time for such a meeting as soon as possible so that we can arrange for all the relevant persons to attend, including the specialists you refer to.</p> <p>Lastly, we note that you seem to be implying in your letter that the DFFE is not objective in their consideration of these types of applications. We point out that the meetings to which you</p>

⁸ NEMA, Preamble

⁹ NEMA Section 2(4)(b)

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	<p>affected (non-contracted majority) community members.</p> <p>8. The 5 referenced environmental applications and associated projects directly negatively impact upon the interests of the clients of AVDS Environmental Consultants. It is therefore important that these existing and current negative impacts be assessed <u>specific to such interests</u> and that the impact findings be recorded fairly and honestly in the submitted applications and Basic Assessment Reports by properly independent EAP and specialists, as required by NEMA. <u>Most importantly, it will be necessary that the development proposal itself responds meaningfully to the concerns and objections of I&APs as opposed to mere worded responses in the reports.</u> Proper mitigation of the costs/ negative impacts of the applicants' actions on non-participating community members (i.e. those who do not stand to gain financial or other benefit but instead incur only losses) need to be specifically identified and included and this will only be possible via an accessible and all-inclusive public participation process. Failure to do so will preclude the Competent Authority from arriving at a decision on each separate application which is rational and justifiable. The same requirements and associated rights of representation apply to every other affected party, including those that constitute so-called "occupiers"¹⁰.</p> <p>9. However, in order to obtain and record properly the required representations of I&AP interests it will be necessary to conduct a public participation process that</p>		<p>refer in the 22 September 2021 Letter were held between the applicant and the relevant authorities in the normal course of the project development process. In terms of Regulation 8(a) of the EIA Regulations, 2014, the DFFE is required to "advise or instruct the proponent or applicant of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used in order to comply with the Act and these Regulations".</p> <p>We trust that you will timeously respond to this letter with the details of the clients that you represent and your preferred date and time for the meeting that you have requested.</p>

¹⁰ The term "occupiers" is used to describe that element of society described by use of the term in the 2014 NEMA EIA Regulations 41(2)(b)(i) & (ii).

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	<p>is fully compliant with the NEMA¹¹ and PAJA¹² and that is inclusive of all the sectors of the affected local communities (which are scattered but extensive). Unfortunately the exclusive and abbreviated public participation process currently underway for the subject 5 environmental applications is variously non-compliant and wholly inadequate for the reasons described (some of the specific failings of the public participation process are outlined below). It therefore requires fundamental redesign and expansion, followed by implementation that is inclusive, accessible and relevant to all sectors of the affected community (including so-called "occupiers").</p> <p>10. The public participation process methodology that has been launched is of a highly sophisticated and technical nature and is reliant purely upon electronic gadgetry and remote connectivity and an ability to confidently understand and operate such technology by participants. It is being orchestrated remotely from the desk of Ms. Venter who is located in Johannesburg and who sits approximately 1000km away from the projects' areas and the many affected local communities. Therefore, unless an I&AP is very highly literate and educated; possessed of the most modern and sophisticated computer technology; within an area having remote communication capability; and able to understand and operate such technology, then they will be entirely excluded from this public participation process. <u>In fact they will not even have received the emailed notification of 3/9/2021.</u> Such technology then requires access to constant electrical power and</p>		

¹¹ NEMA EIA Reg PPP

¹² PAJA

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	<p>electronic communication connectivity. Anyone who is familiar with the remote and rural area in which these projects are located (like the writer is) will know that the characteristics, requirements and conditions described here are foreign to most of the affected local inhabitants (being mainly "occupiers") through circumstances and often choice.</p>		
	<p>11. Furthermore, before one is even able to access the reports via the website link that ultimately (presumably) links through to the Savannah Consultants public documents website where the report links are available it is necessary to first undertake some sort of electronic registration process first and which requires a password and some form of electronic authentication – a most complicated and user-unfriendly process of which the implications are unknown¹³. As an alternative Ms. Venter has undertaken to provide some other electronic website link functions by which the reports could be provided (presumably again some sort of electronic verification process is required for access) but these would no doubt require many hours/days of work by the I&AP to simply download all the material for the 5 applications and would also require considerable and reliable internet capacity. This would be impossible to achieve (and then study) on a mobile phone and would only be achievable with the most modern computer. While the author is reasonably competent with computer technology (as adjudged by the form and delivery by email of this correspondence) it is admitted that he has neither the ability nor knowledge, nor the requisite modern electronic facilities, nor the considerable (non-productive time) required, to attempt</p>		

¹³ For instance, would electronic verification automatically be deemed to constitute I&AP registration?

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	<p>to engage with such highly technical electronic processes merely to obtain copies of the information for review purposes which NEMA requires to be freely and easily available to I&APs. As confirmed to Ms. Venter earlier this year, the author's (relatively modern) computer laptop is unable to operate the electronic platforms necessary to participate in the remote, virtual form public meetings ("Zoom" meetings and such like) that are the only form of "live" consultation offered by Ms. Venter in the notification. No publicly available hard copies of the information are provided with the Covid 19 situation being used once again as a convenient excuse, and as has now become entrenched standard practice for environmental applications under administration of the DFFE.</p> <p>12. Turning now to the allotted short 45-day period within which comment is permitted by Ms. Venter and which is evidently condoned by the DFFE by means of the approved public participation process plan¹⁴ to which Ms. Venter refers as justification for the current public participation process. This contrary to the requirements of NEMA Environmental Impact Assessment Regulations (2014, as amended)¹⁵ which requires that "<i>a reasonable opportunity to comment on the application</i>" be provided. A total of no less than five environmental applications and associated documentation (all being of relevance to us) undoubtably constitutes a voluminous body of information and will require thorough consideration and probably consultation with other parties prior to the finalization of a properly informed and</p>		

¹⁴ The public participation plan approved by the DFFE, like the Basic Assessment reports, has not been viewed.

¹⁵ NEMA EIA Regulations 41(6)(a)

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	<p>substantiated comment and/ or objection. The extremely limited 45-day comment period does not allow for these onerous but important tasks to be undertaken and completed in time to meet the deadline. The preposterousness of providing just a 45-day comment period for review of (and reasonable comment on) five (5) environmental application Basic Assessment reports dealing with a huge and complicated, multicomponent project which extends over a massive geographical range will be obvious to any independent practitioner, as it must be to the Competent Authority too. The limitations of accessibility already described simply compound the level of unreasonable consideration.</p> <p>13. Over and above the projects-specific challenges outlined above, with which persons wishing to review the information are shouldered, is the added burden of their everyday normal work and domestic obligations. But that is not yet the limit of priority demands placed upon I&APs generally since, in most cases, the domestic burden on ordinary citizens is now considerably more increased by the consequences of the Covid19 pandemic. It is thus of grave concern to note the flippant regard given by the EAP, Ms. Venter, and apparently the DFFE where no allowance is made to I&APs in recognition of these additional challenges. Yet, on the other hand, the excessive latitude granted to consultant "team" by themselves in order to leverage every opportunity to diminish the public participation process on the same basis (i.e. the Covid 19 situation), even to the extent that the legislated rights of I&APs are knowingly violated in the process, is grossly unethical (evidently facilitated and</p>		

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	justified under the DFFE's approved public participation plan to which Ms. Venter defers as justification).		
14.	The current public participation process is an elitist and exclusive one which appears designed to minimize unfavourable comment and objection which could damage the progress of the applicants' and Wind Relic (Pty) Ltd.'s interests. Through its calculated management of multiple environmental applications data ¹⁶ simultaneously via a procedurally-condensed single public participation process it clearly seeks to overwhelm affected I&APs (those few that happen to become aware of it) with the sheer number (5) and volume of the Wind Relic promoted environmental applications and documentation. When considered together with the proponent's other "Eastern Cluster" renewable energy environmental applications the mass of applications and documentation creates the unreasonable circumstances within which no I&AP affected by all of these Wind Relic applications is able to react or respond properly and with due consideration, if at all. This is undoubtedly an intended circumstance and outcome created by the EAP and Ms. Venter, and the applicant, and possibly the DFFE too (given our knowledge that considerable planning effort was put into the design and of the launch of this multiply-application project by Mr. Newcombe ¹⁷ and "Environmental Affairs").		
15.	Given the highly exclusive character of the public participation process it is necessary to note that it is estimated (by the writer) that perhaps 90+% of the inhabitants within the "receiving environment " of the		

¹⁶ The extent of the information remains unknown to the author and clients but, based on experience with similar renewable energy applications, we anticipate a huge record.

¹⁷ Whatsapp communication from "Wind Relic Team" dated 25/5/2020

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	<p>Wind Relic (Pty) Ltd projects are so-called "occupiers" NEMA¹⁸ of properties and locations. Their status and rights under law are equal to that of any other citizen of South Africa. Their socio-economic reality on the ground is however drastically different to most others being a sector of society which tends to be of the most marginalized in South African Society. In our experience "occupiers" are as much the victims of their rural circumstances (poor level of education and rural remoteness) as they are the sustained abuse of rights by political (government) and business interests of the urban elite who seek to exploit opportunity in the rural environment. The growing renewable energy industry, and the opportunistic financial institutions in South Africa, are prime culprits in such rural exploitation and the current Wind Relic applications stand as solid testimony to this. It is the duty of the environmental consultant to ensure that the rights of "occupiers" are strongly protected and fully availed and that individuals are properly engaged with during the public participation process in a respectful manner and at an appropriate level. Based on our current knowledge, Ms. Venter has failed to ensure the rights of I&APs (as she also has with the Wind Relic "Eastern Cluster" renewable energy applications).</p>		
16.	<p>The DFFE-approved public participation plan (not yet viewed by the author) but as referred to in the notification letter is used by Ms. Venter to justify the current public participation process. Reliance upon the DFFE-approved plan is unfounded as its short-comings cannot substitute, or in any way minimize, the requirements of the NEMA and the EIA Regulations which govern such matters. Based</p>		

¹⁸ The term "occupiers" is used to describe that element of society described by use of the term in the 2014 NEMA EIA Regulations 41(2)(b)(i) & (ii).

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	<p>solely on the requirement for I&APs to be provided with a "reasonable opportunity to comment" the law has already been violated (and it thus appears that the approved public participation plan is non-compliant).</p>		
17.	<p>In light of the above-described limitations and deprivations imposed under the current public participation process the following matters are tabled for your attention:</p>		
	<p>i. It is impossible, for reasons explained, for AVDS Environmental Consultants to participate in the virtual meetings and obtain reviewable copies of the information pertaining to the 5 environmental applications under the current public participation process.</p>		
	<p>ii. Notwithstanding the limitation already imposed and described above, it is impossible for AVDS Environmental Consultants to obtain, properly review and consider, and prepare substantiated comments on, the information for the 5 applications within the allotted 45 day comment period which is too short and thus unreasonable.</p>		
	<p>iii. All considered, objection is hereby recorded against the current public participation process. It will be necessary for the current public participation process to be entirely redesigned (and expanded), and then implemented, in order for it to meet the requirements of NEMA and the NEMA EIA Regulations for a proper public consultation process in which the rights of all potential I&APs are protected and promoted. Since Wind Relic has chosen to split its massive project into many separate sub-projects and associated environmental applications it will be appropriate to</p>		

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	<p>also split the existing public participation process into reasonable separate processes, or perhaps a longer (more "reasonable") one, so that the relevant information can be considered and processed by the potential I&APs and local communities. Sufficient time will need to be allowed for to such ends and a more accessible (non-electronic option must be provided). A plan of the envisaged public participation process, with attached timeframe should be presented to I&APs for approval. The country's recent move on 13 September 2021 to Level 2 under the Disaster Management Act for dealing with the consequences of the current Covid-19 pandemic should be embraced since it creates considerable scope for such changes to be implemented and especially the ability to meet with community members and other I&APs on a face-to-face basis (not that such measures were ever ruled out under the previous emergency status). The public engagement process for these applications must be in line with the recent relaxation to Level 2 alert status. Proper written notification¹⁹ must be sent to all potential I&APs and the I&APs listed for previous environmental applications²⁰ for which properties common to the those proposed for the Wind Relic development should be included in the list of potential I&APs for the current projects.</p>		
	<p>iv. Under a new redesigned and legally-complaint public participation process it will be necessary for</p>		

¹⁹ Or alternative methods as specified under Section 47D of NEMA.

²⁰ Savannah Environmental will already be in possession of same having been the appointed environmental consultants in many of the previous applications referred to (such as the various different Spitskop Wind Energy Facilities and environmental applications).

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	<p>Ms. Venter to notify, directly in writing or by some other legally-complaint means, all "potential" I&APs as well as all "occupiers" and landowners of (i) properties subject to the proposed development, and (ii) properties adjacent to subject properties. The current public participation process is fundamentally non-complaint with NEMA on this basis.</p> <p>v. In consequence of the above, and notwithstanding the advice proffered elsewhere, it is requested that the comment period be extended to <u>13 November 2021</u> and which would be a justifiable move in the direction of what would amount to the strict NEMA EIA Regulations requirement for a "reasonable opportunity" to be proved to I&APs (including this one) to comment on the five Basic Assessment Reports and their associated specialist study reports. It will however be necessary to thereafter provide a further comment period (at the least) in order for I&APs to review the consequences of their comments and to ascertain how their established interests and knowledge of local matters have been fairly and independently included by Ms. Venter on a basis that is equal to her management of the opportunistic and outside interests of the applicant(s). Please also be hereby advised that the author will be out of office for a 10 day period during the current comment period on account of a prior commitment and therefore the 45-day review period, which was launched without warning or notice, is effectively a 35 day one.</p> <p>vi. Furthermore, for the reason mentioned, you are kindly requested to provide the author with two full</p>		

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	<p>copies of all of the information submitted for (all) the Wind Relic applications in an easily and generally accessible electronic format (such as on a CD) and/ or to provide hard copies of same. Please note that the request is not restricted to just the current reports pertaining to the 5 environmental applications but would include, for instance, the minutes of meetings held between members of Savannah Environmental and/ or the Applicant(s)/ Wind Relic and/ or the DFFE since 2018. All correspondence related to the Wind Relic project should be included. Amongst other matters, this will enable the procedural correctness of the applications to be ascertained and for the cumulative impact of the Wind Relic projects to be considered. Once the information is received it will be possible to commence the intended review, subject to other standing commitments and obligations. Please ensure that the documents are received at least 3 weeks prior to the requested meeting (see below) in order that we can properly prepare ourselves for that meeting.</p> <p>vii. A meeting is requested with you to communicate our clients concerns directly and to demonstrate the clients long-established interests, and which stand to be damaged by the applicant(s) proposed activities, and therefore deserve proper and fair consideration in the decision-making processes which will be informed by the Basic Assessment Reports. The meeting should be minuted and should occur at our clients property and it will be important that the visual impact specialist and social impact specialist also please attend. Subject to existing</p>		

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	<p>commitments we would need at least 3 weeks notice to plan for the meeting. Please confirm your/ Ms. Venter's in principle agreement to meet with us and that we should proceed with the necessary further arrangements for the meeting once a mutually suitable date for the meeting has been agreed upon.</p>		
18.	<p>It is recorded that the above matters and requests are consistent with Ms. Venter's stated invitation to address to her any matters of clarification and requests for additional information, per her statement in the letter of notification dated 3/9/2021: <i>"Please do not hesitate to contact us should you require additional information and/ or clarification regarding the projects. Our team welcomes your participation and look forward to your involvement throughout this process."</i> It must be noted that the author has not been able to review the information pertaining to the current applications, for reasons already stated, and thus reserves the right to amend the advice given herein and elsewhere.</p>		
19.	<p>Under the circumstances and for the reasons described in this objection, as matters stand the Competent Authority will be unable to make a fair and justifiable decision on the applications that accords with the principles and requirements of the Promotion of Administrative Justice Act No. 3 of 2000. Therefore, and in the interests of all parties, we look forward to being empowered to participate in a redesigned and legally compliant public participation process(es) alongside other potential I&APs. It is therefore necessary to ensure that a proper and inclusive public participation process is undertaken so as to ensure that the interests of non-contracted I&APs, are</p>		

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	<p>properly and honestly reflected in the findings and recommendations of the reports – and most importantly too in the physical design of the proposed massive industrial activity (should it be approved).</p>		
	<p>Please acknowledge receipt of this correspondence.</p>		<p>The email dated 22 September 2021 to which the letter in which AVDS Environmental Consultants submitted their written comments, was acknowledged on the same day and Savannah Environmental's response letter dated, 30 September 2021 was e-mailed to AVDS Environmental Consultants on the same day.</p>
	<p>We refer to the public participation notification 12/11/2021 as it relates to inter alia the 2 Wind Relic solar farm applications:</p> <p>The notification of letter (as was attached to below) advised that comments of IAPs on the subject projects proposals can be submitted until 13 November 2021.</p> <p>AVDS Environmental Consultants represents the same parties as those represented in the other Wind relic "Western Cluster" wind farm and substation (5) applications which are a part of, and inseparable from, these 2 solar farm projects with which they evidently would share critical infrastructure and property at the very least. It therefore makes sense for our clients to deliver their comments (directly to the EAP as they desire to do) on these solar farm projects at the same time that they deliver their desired comments on the other 5 Wind Relic wind farms applications.</p> <p>We have been unable to review the necessary documentation due to the overwhelming work load generated by the multitude of renewable energy developments that have recently been put out for review and the manner and timing in</p>	<p>E-mail: 13 December 2021</p>	<p><u>Response by Nicolene Venter via responding email on 14 December 2021:</u></p> <p>Your email of 13 December 2021 and our notification letter of 12 November 2021 refer.</p> <p>Firstly, we wish to point out that your reference to comments having to be submitted by 13 November 2021 is incorrect. If you read the notification letter, (attached hereto for ease of reference), you will see that the due date was in fact the 13 December 2021.</p> <p>Although you make reference to representing "the same parties as those represented in the other Wind relic "Western Cluster" wind farm and substation (5) applications", you have to date (since November 2020 when the processes started) still not told us who these parties are, not indicated when you registered AVDS as an I&AP that you were in fact acting on behalf of anyone else, and not provided us with any powers of attorney to show that you are acting on behalf of anyone else regarding these applications.</p>

No.	Comment	Raised by	Response
	<p>which this has been done. The approach taken in running combined and/ or consecutive applications and public participation processes has been the subject of much complaint by other IAPs too but these have fallen on deaf ears and the approach continues to be applied at the expense of I&AP's rights, including our clients. The approach is calculated to overwhelm I&APs and thereby limit their abilities to review and comment on the technically complicated and voluminous applications and which are in fact illegal insofar as the applications are all part of a single development (as attested to by pre-application correspondence referred to between the applicant umbrella company and the Department). It is naturally impossible; for any person to be able to thoroughly review these applications and consult with clients within the allotted timeframes while simultaneously dealing with other normal work and domestic requirements. All of the Wind Relic applications public participation processes are guilty of not having provided the required reasonable opportunity for I&APs to comment on them and which applications include, at this stage:</p> <ol style="list-style-type: none"> 1. Aeolus Wind Farm 2. Ripponn Wind Farm 3. Redding Wind Farm 4. Hamlett Wind Farm 5. Substation and 2 powerlines 6. Solaris Fields Solar Farm 7. Sun Garden Solar Farm 8. Wind Garden Wind Farm 9. Fronteer Wind Farm 		<p>We reiterate that you did not provide any substantive comments on the Western Cluster projects and the public review period for these has ended, and the public review period for the two solar farm applications closed yesterday, 13 December 2021. As we made clear in all of our correspondence to date, we were prepared to meet with your clients in a virtual meeting which offer you adamantly refused to accept. As you have continued to refuse to provide us with the details of your clients, the number of people who would attend the requested face to face meetings and the venue, we could in any event, not have complied with the requirement of the approved PP plan that face to face meetings can only be undertaken where sanitary conditions can be guaranteed. Further to the above, you did not respond to our offer to arrange alternative dates for a virtual meeting with your clients to discuss the two solar farm applications.</p> <p>In so far as your contentions regarding the single application is concerned, the approach taken is standard for renewable projects and was agreed with DFFE in the pre-application consultation meeting. Further to this, DFFE considered the complaint you referred to in your email of 26 November 2021 regarding inter alia the fact that separate applications were lodged, and concluded that none of the complaints that were lodged were valid.</p> <p>With regard to your request for hard copies of the applications, although this is the first time that you are requesting them and the review period has already closed, we will arrange for them to be sent to you tomorrow or Friday. In addition, please note that as detailed in the various reports, the projects' assessments</p>

No.	Comment	Raised by	Response
	<p>It is noted that reference is made to another substation application that will be made in due course.</p> <p>We also have not yet had opportunity to review the November 2021 Verreux Eagles Guidelines by Birdlife SA (and which, as the most up to date information and according to ethical scientific practice, will naturally have to be applied to all the Wind Relic applications which have not been approved).</p> <p>At this time we still await the opportunity for our clients to meet with you (face to face) at their properties/ place of abode so as to directly deliver their comments to the EAP in regard to the "Western Cluster" wind farm applications and at which opportunity their comments on the 2 solar farm applications can also conveniently be directly delivered to the EAP. However, given the lengthy delays incurred by the EAP's (J. Thomas) stubborn refusal to meet our clients (so as to resolve all their concerns per the DFFE PPP Guideline advice) to date, and now the holiday period, plus the recent Covid 19 elevated risk, the requested face to face meetings will now have to be held over until sometime next year.</p> <p>In the meantime please kindly provide us with copies of all the information pertaining to the solar farm applications in hard copy and CD format. Notwithstanding the available review period provided under letter of 17/112020 an extension of the timeframe within which to comment is requested in order to allow for the face to face site meetings with our clients to occur at a suitable time next year.</p>		<p>were undertaken in accordance with the requirements of all the relevant laws, policies and guidelines.</p> <p>Your reference to "another substation application that will be made in due course" is perplexing, as we are not aware of any such application. I am however, available to attend to any further questions that you may have regarding the above.</p>
3.	<p>When looking at the overall footprint of the proposed Renewable Energy projects within the Cookhouse Renewable Energy Development Zone (REDZ), including the Eastern Strategic</p>	<p>Brent McNamara Chief Executive Officer Agri Eastern Cape</p>	<p>Details regarding all projects forming part of the cluster of renewable energy developments have been made available from the outset of the EIA process. In this regard we refer you</p>

No.	Comment	Raised by	Response
	<p>Transmission Corridor, projects have been broken up individually and separated into the Eastern and Western Cluster projects between Somerset East and Makhanda. In total 8 projects are proposed for Environmental Authorisation and are made up as follows:</p> <ul style="list-style-type: none"> » Eastern Cluster: <ul style="list-style-type: none"> • Wind Garden Wind Farm • Fronteer Wind Farm » Western Cluster: <ul style="list-style-type: none"> • Hamlet Wind Farm • Ripponn Wind Farm • Redding Wind Farm • Aeolus Wind Farm • Solar Fields Solar Energy Facility • Sun Garden Solar Energy Facility • Including a 400kV Main Transmission Substation and two 400kV Power Lines <p>These projects have been broken up into 8 individual Environmental Authorisation applications which are being evaluated and assessed independently and clustered into three Public Participation Processes for comment by I&AP's. Each project application is being analysed with the use of a Basic Assessments Report for Environmental Authorisation. The analyses on the impacts for each project will purely be associated with each project and these individual impacts will be independently managed in order for approval of Environmental Authorisation.</p> <p>The 8 projects, along with their associated substations and powerline projects, are therefore merely all components of one massive renewable energy project within the Cookhouse REDZ. Due to the size of the overall project footprint, the individual</p>	<p>Letter: 14 October 2021</p>	<p>to the EIA process adverts placed on 12 November 2020 in two newspapers, i.e. an English advert in the regional newspaper, the Herald, and an Afrikaans advert in a local newspaper, the Hartland Nuus. These adverts included the details of all the projects (i.e. 6 wind projects, 2 solar projects and a 400kV Main Transmission Substation ("MTS")) proposed as part of a renewable energy cluster ("Renewable Energy Cluster").</p> <p>Further to this, the Background Information Document ("BID") distributed via email on 17 November 2020 to all registered I&APs included details of all the projects proposed as part of the Renewable Energy Cluster. The Basic Assessment Reports compiled and released for public review to date (i.e. the reports for the 6 wind farms and an MTS) ("Basic Assessment Reports") also all included details of all the projects proposed as part of the Renewable Energy Cluster.</p> <p>The Basic Assessment Reports and associated specialist studies assess the impacts of each project individually and also assess the cumulative environmental impacts of all the proposed projects in the vicinity of each development, including those as part of the larger Renewable Energy Cluster and other operating and proposed projects. The assessment of impacts is summarised in Chapters 10 and 11 of the BA Reports, and included in the specialist reports appended as Appendix D to M.</p>

No.	Comment	Raised by	Response
	<p>analyses of each project will predict a reduced overall risk, compared to the quantitative and cumulative impacts of the entire project when analysed as a whole.</p>		
	<p>Independent specialists should analyse not just the individual impacts of each project but the cumulative impact, indirect impact, and ecological sensitivity for the entire renewable energy project and the vast footprint thereof. Especially as the Cookhouse REDZ falls within the critically important Albany Centre of Botanical Biodiversity and Endemism, also known as the "Albany Hotspot." A study cannot be completed purely on the specialist concluding results for that project and therefore state that the results show that the development "will not result in unacceptable environmental impacts", without taking the cumulative effects and ecological sensitivity into consideration. Vital parts of the ecosystem may be lost which in turn could lead to the collapse of an ecosystem within that area.</p>		<p>The Basic Assessment Reports and associated specialist studies assess the impacts of each project individually and also assess the cumulative environmental impacts of all the proposed projects in the vicinity of each development, including those as part of the larger Renewable Energy Cluster and other operating and proposed projects. The assessment of impacts is summarised in Chapters 9 and 10 of the BA Reports, and included in the specialist reports appended as Appendix D to L.</p> <p>The ecology specialist report states the following: "<i>In terms of cumulative impacts, there are numerous existing, planned and authorised wind energy projects in the wider area, raising the potential for cumulative impacts. It is however only the adjacent planned Aeolus WEF and Redding WEF that occur in a broadly similar environment to the Solaris Fields PV projects. These two wind energy projects would have a cumulative footprint of approximately 200ha, while the current Solaris Fields and adjacent Sun Garden Solar PV project would have a combined footprint of approximately 700ha. Overall, while there would be some local impact on landscape connectivity and habitat loss, the contribution of the Solaris Fields PV Facility to cumulative impact at 350ha is considered acceptable.</i>"</p>
	<p>The degree of ecological connectivity between systems within the development landscape matrix should be analysed to determine the sensitivity scale for the entire development area. The results hereof should be taken into consideration especially for decision making.</p>		<p>As part of the ecology impact assessment (Appendix D of the BAR), "<i>An initial site visit which also included the broader area took place from the 30th June to 3rd of July 2020 and an additional specific field assessment to characterise the affected area in greater detail took place on the 8th of October 2021. In addition, the site falls within the project area</i></p>

No.	Comment	Raised by	Response
	<p>In order to obtain a comprehensive understanding of the dynamics of the ecosystem, fauna & flora communities, and the status of endemic, rare, or threatened species within the development footprint, analyses at different times of the year (across seasons/years) should be done. Highlighting the impact on fauna as they are not a static part of the environment and move freely is specifically important. Special consideration and analyses should focus on threatened species inhabiting the desired development area.</p>		<p><i>of a previously assessed wind farm (Spitskop) that was sampled in January 2013. During the site visits, the different biodiversity features, habitat, and landscape units present at the site were identified, mapped and characterised in the field. Specific features visible on the satellite imagery of the site were also marked for field inspection and were verified and assessed during the site visit. Walkthrough surveys were conducted within representative areas across the different habitat units identified and all plant and animal species observed were recorded."</i></p> <p><i>According to the ecology report, "The conditions at the time of the detailed October 2021 site visit were acceptable for the field assessment. There had been some rainfall preceding the site visit and while the area was still recovering from an extended drought, the majority of the vegetation was in an identifiable condition and there were numerous geophytes present. As a result, the vegetation surveys conducted at the site are considered reliable and the species lists obtained for the site are considered comprehensive, with few species that would not have been present at the time of the field assessment. As a result of the timing and favourable conditions associated with the site visits, there are few significant limitations with regards to the results of the field assessment for vegetation. The presence of some fauna is difficult to verify in the field as these may be shy or rare and their potential presence at the site must be evaluated based on the literature and available databases. In many cases, these databases are not intended for fine-scale use and the reliability and adequacy of these data sources relies heavily on the extent to which the area has been sampled in the past. Many remote areas have not been well sampled with the result that the</i></p>

No.	Comment	Raised by	Response
			<p><i>species lists derived for the area do not always adequately reflect the actual fauna and flora present at the site. In order to reduce this limitation, and ensure a conservative approach, the species lists derived for the site from the literature were obtained from an area significantly larger than the study site.</i></p> <p>An ecological sensitivity map of the site was produced by integrating the results of the site visits with the available ecological and biodiversity information in the literature and various spatial databases as described above. As a starting point, sensitive features such as wetlands, drainage lines, rocky hills or quartz outcrops were mapped and buffered where appropriate to comply with legislative requirements or ecological considerations. Additional sensitive areas were then identified and delineated based on the results of the field assessment and satellite imagery of the site. All the different layers created were then merged to create a single coverage. The ecological sensitivity of the different units identified in the mapping procedure was rated according to the scale from Low to Very high.</p>
	<p>Integrated environmental management is required as per Section 2(b) and 23 of the National Environmental Management Act (NEMA, No. 107, 1998) for a development such as this. It is therefore further suggested that a Strategic Environmental Analysis (SEA) is carried out for the entire development footprint including the 8 projects and their associated substations and powerline projects. The SEA can address the cumulative impacts and assist in the integration of the concept of sustainability into strategic decision-making through the identification and determination of limits of acceptable change and sustainability targets for a particular area, which will ensure environmental sustainability.</p>		<p>A Strategic Environmental Assessment (SEA) for the Cookhouse REDZ (within which the project site is located) was undertaken by the DFFE. This included specialist inputs. The studies undertaken further informed the specialist protocols which are required to be followed for specialist studies.</p>

No.	Comment	Raised by	Response
	<p>As per section 2(4)(a)(viii) of NEMA, no potential impact can be left unattended to, with the final option of action being that such impacts be 'minimised and remedied.' Taking this statement into consideration, along with understanding the cumulative impacts of the total development from the SEA, an understanding of the cumulative impact significance will be obtained, which will allow for actions to be taken to minimise and remedy the potential impacts.</p>		<p>The Basic Assessment Reports and associated specialist studies assess the impacts of each project individually and also assess the cumulative environmental impacts of all the proposed projects in the vicinity of each development, including those as part of the larger Renewable Energy Cluster and other operating and proposed projects. The assessment of impacts is summarised in Chapters 9 and 10 of the BA Reports, and included in the specialist reports appended as Appendix D to L.</p> <p>Mitigation measures recommended by the specialist studies have been included within the BAR and the project EMPs, included in Appendix M of the BAR.</p>
	<p>Even though the need for renewable energy in South Africa is recognised, understood, and supported, one should abstain from saturating an environments' sustainable threshold regarding renewable energy. There should be a balance between the need for the development, the destruction (both present and future) caused by such developments, and the conservation and preservation of the environment and biodiversity within that desired area.</p>		<p>The assessment of impacts associated with the project has considered the acceptability of the project from an ecological and social perspective through various specialist studies undertaken. This included consideration of the impacts of the project in isolation as well as cumulative impacts of the project together with other proposed and operating projects within the region.</p>
4.	<p>After perusing the Basic Assessment Report (BAR) for the Solar Fields and Solar Garden Energy Facility between Somerset East and Makhanda. The analyses on the impacts for each project was clearly outlined in each BAR. These individual impacts must be independently managed in order for approval of Environmental Authorisation and the assurance of no further impact of the surrounding environment.</p>	Letter: 13 December 2021	<p>The assessment of impacts associated with the project has considered the acceptability of the project from an ecological and social perspective through various specialist studies undertaken. This included consideration of the impacts of the project in isolation as well as cumulative impacts of the project together with other proposed and operating projects within the region. An Environmental Management Programme (EMPr) has been developed for the project to ensure the management of identified impacts during all life cycle stages of the project (refer to Appendix M).</p>

No.	Comment	Raised by	Response
	<p>The independent specialist's studies outcome and recommendations should be precisely followed and adhered to. Especially as the Cookhouse REDZ falls within the critically important Albany Centre of Botanical Biodiversity and Endemism, also known as the "Albany Hotspot." If recommendations are not adhered to vital parts of the ecosystem may be lost which in turn could lead to the collapse of an ecosystem within that area.</p>		<p>An EMPr has been developed for the project to ensure the management of identified impacts during all life cycle stages of the project (refer to Appendix M). This includes the mitigation and management measures recommended by the specialists for the project. Should the project be authorised, the implementation of the EMPr will be a requirement of the authorisation, which is legally binding on the developer.</p>
	<p>The overall significant impact from the cumulative assessment should be taken into consideration as the development unfolds, as the majority of the impact is classified as "medium significance." Results from the Environmental Sensitivity Analysis should too be taken into consideration along with the proposed mitigation procedures and solutions.</p>		<p>An EMPr has been developed for the project to ensure the management of identified impacts during all life cycle stages of the project (refer to Appendix M). This includes mitigation measures required to manage cumulative impacts, as recommended by the specialists.</p> <p>The results of the Environmental Sensitivity Analysis have been considered in the determination of the preferred layout for implementation, as detailed in Chapter 11 of the BAR and the EMPr.</p>
	<p>The sensitive environmental features such as, the drainage feature which occurs on the south-eastern boundary of the PV area, should be avoided and the recommended buffer areas should be strictly adhered to.</p>		<p>The required buffers as stipulated by the relevant specialists are avoided by the proposed layout of the facility as shown in Figure 11.1 of the BAR.</p>
	<p>Even though the need for renewable energy in South Africa is recognised, understood, and supported, one should abstain from saturating an environments' sustainable threshold regarding renewable energy. There should be a balance between the need for the development, the destruction (both present and future) caused by such developments, and the conservation and preservation of the environment and biodiversity within that desired area. Mitigation measures should be strictly adhered to, to avoid any further potential</p>		<p>The assessment of impacts associated with the project has considered the acceptability of the project from an ecological and social perspective through various specialist studies undertaken. This included consideration of the impacts of the project in isolation as well as cumulative impacts of the project together with other proposed and operating projects within the region. An Environmental Management Programme (EMPr) has been developed for the project to ensure the management of identified impacts during all life cycle stages of the project (refer to Appendix M). This includes the</p>

No.	Comment	Raised by	Response
	damage, keeping the environments bests interests as top priority.		mitigation and management measures recommended by the specialists for the project. Should the project be authorised, the implementation of the EMPr will be a requirement of the authorisation, which is legally binding on the developer.

2. COMMENTS RECEIVED DURING THE COMMENCEMENT OF THE BASIC ASSESSMENT PROCESS

2.1. Organs of State

No.	Comment	Raised by	Response
4.	<p>Please find attached Eskom general requirements for works at or near Eskom infrastructure and servitudes. Please also find attached the Eskom setbacks guideline the applicant needs to consider during planning of the layouts and positioning of infrastructure.</p> <p>Renewable Energy Generation Plant Setbacks to Eskom Infrastructure document was submitted and is included in Appendix C7 of the BAR. The requirements listed below forms part of the set of documents attached to the e-mail.</p> <ol style="list-style-type: none"> 1. Eskom's rights and services must be acknowledged and respected at all times. 2. Eskom shall at all times retain unobstructed access to and egress from its servitudes. 3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals. 4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer. 5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand. 6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous 	<p>John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division</p> <p>E-mail: 19 October 2020</p>	<p>The requirements for development at or near Eskom infrastructure servitudes are noted. These requirements have been submitted to the developer for their attention and consideration for the development of the Wind Garden Wind Farm.</p>

No.	Comment	Raised by	Response
	<p>written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.</p> <p>7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.</p> <p>8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.</p> <p>9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager.</p>		

No.	Comment	Raised by	Response
	<p><u>Note:</u> Where and electrical outage is required, at least fourteen work days are required to arrange it.</p> <p>10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.</p> <p>11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.</p> <p>12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).</p> <p>13. Equipment shall be regarded electrically live and therefore dangerous at all times.</p> <p>14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.</p> <p>15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.</p> <p>16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.</p>		

No.	Comment	Raised by	Response
	17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.		
5.	<p>SANRAL has the following comments, with regards to the proposed above mentioned subject development, within the Blue Crane Local Municipality (R63/N10) and Makana Local Municipality (N2/R67):</p> <ul style="list-style-type: none"> • No installation of any infrastructure inside the Road Reserve. • The wind turbines must be erected at least 200 metres from the National Road Reserve boundary, if this requirement cannot be met, then a good motivation has to be submitted to SANRAL as to why the wind turbines should be erected closer. • All other buildings / structures should be erected at least 60 metres from the National Road Reserve boundary and / or 500 metres from any intersection. • If access is required from the National Road, an approval from SANRAL is required, otherwise access can be obtained from the nearest numbered route. • A formal application together with the plans of the proposed wind farm must be submitted to SANRAL. • Construction of all work may only commence after written approval has been obtained from SANRAL. 	<p>Chumisa Njingana Engineer SANRAL</p> <p>E-mail: 22 November 2020</p>	<p>It can be confirmed that there will be no infrastructure within the National Road Reserve as the development of the MTS and associated power lines is not planned to take place near any national roads.</p> <p>It can be confirmed that there will be no infrastructure within 200m from a National Road as the development of the MTS and associated power lines is not planned to take place near any national roads.</p> <p>It can be confirmed that there will be no infrastructure (including buildings) within 60m from a National Road or within 500m of an intersection which includes a national road.</p> <p>It can be confirmed that there will be no intersections required over national roads. Existing accesses will be used.</p> <p>The required applications will be submitted to SANRAL if applicable.</p> <p>The required approvals will be obtained from SANRAL if applicable.</p>
6.	Can you please send a kml/kmz file of the localities for this proposed project?	<p>Shanè Gertze Environmental Planner Eastern Cape Parks & Tourism Agency</p>	<p>The requested KMZ file was submitted to the stakeholder via email on 05 January 2021.</p>

No.	Comment	Raised by	Response
		E-mail: 03 December 2021	

2.2. Key Stakeholders and Interested & Affected Parties

No.	Comment	Raised by	Response
1.	I suggest that your half page advert in The Herald today is possibly not legal. The headline refers to an area between Somerset East and a town that I believe no longer exists. Perhaps you should consult your lawyers on the matter to ascertain the correctness of the issue.	Unknown recipient E-mail: 12 November 2020	The I&AP was contacted to obtain his name and contact details. He informed the project team that there is no need to register him on the project's database (refer to Appendix C7 of the BAR). The use of the name Grahamstown has been rectified in the project documentation, which now refers to Makhanda.
2.	As an Eastern Cape resident, I have a keen interest in the development of the province and these projects could bring much needed development and jobs to the region.	Stevon Hobson Engineering Advice & Services (Pty) Ltd E-mail: 18 November 2020	The place of residence and interest of the I&AP in the project is noted. It is confirmed that the I&AP has been registered on the project database (Appendix C2). A Socio-Economic Impact Assessment (Appendix L) was undertaken for the project which considers the positive impacts associated with the development, including employment opportunities and economic development.
3.	My company is a specialist piping fabricator and constructor and we, as a team, would like to engage in more renewable energy projects as opportunities present themselves. Our interests lie in wind, Solar and gas to power projects.	Grahame Britchford Project Manager: Arminco Piping Projects E-mail: 18 November 2020	The interest of the I&AP is noted. It is confirmed that the I&AP has been registered on the project database (Appendix C2). The details of the I&AP have been provided to the developer for their records.
4.	Could you please provide details about who the applicant is?	Shaun Taylor Enel Green Power E-mail: 26 November 2020	The information requested, together with the BID, was e-mailed to the I&AP on 26 November 2020 (refer to Appendix C7 of the BAR).
5.	I hope you are well? I presume that BirdLife South Africa is a I&AP for these projects and that our Cape Vulture Guidelines are being applied, but just double-checking?	Samantha Ralston-Paton Birds and Renewable Energy Project Manager	BirdLife SA is a registered stakeholder I&AP on the project's database.

No.	Comment	Raised by	Response
		BirdLife South Africa E-mail: 30 November 2020	
6.	<p>We have received information (two documents) from a farmer about the envisaged projects.</p> <p>Alien invader cacti, predominantly the spiny <i>Opuntia ficus-indica</i> and <i>O. engelmannii</i> have infested to various degrees the Eastern Cape Province.</p> <p>Our Company, Spiny Cactus Pear Processing (Pty) Ltd has been involved in preparing the construction sites for the erection of a wind turbine project near Bedford. We were specifically engaged to clear the invader alien spiny cacti from the access roads and platforms stands for the contractors to erect the wind turbine towers and auxiliary facilities.</p> <p>Considerable competency and expertise have been developed in harvesting and processing alien spiny invader plants as livestock feed.</p> <p>Attached please find a document providing some background in this regard. We assume our expertise will be required to implement the envisaged projects. Please advise how and with whom we can engage to participate</p>	HO De Waal Director: Spiny Cactus Processing (Pty) Ltd Letter: 02 December 2020	The content of the letter dated 02 December 2020 was acknowledged on 02 December 2020 and was submitted to the applicant for record purposes (refer to Appendix C7 of the BAR).
7.	I hereby write to you as an owner of two neat self-catering units that are available in Adelaide. The units are in a secure location in the central town of Adelaide. Each unit consists of bedroom, a small lounge, a kitchen and a bathroom with a shower and toilet.	Charles Hanyani I&AP E-mail: 10 December 2020	The information received regarding the self-catering facilities was submitted to the Applicant for record purposes.

No.	Comment	Raised by	Response
	<p>Please assist if there are any Windfarm projects which would want to utilize our cosy accommodation.</p> <p>These units are located on my property, which has a 3-bedroomed house that I am willing to rent out. The main house is fully furnished.</p>		
8.	<p>Please acknowledge the request.</p> <p>I will also appreciate it if you can give me a schedule or time frame for the submission of comments to the process.</p>	<p>Gwen Theron LEAP: Environmental Planner E-mail: 15 December 2020</p>	<p>The registration of Dr Theron and additional stakeholders listed in the email was confirmed and proof of the registrations were attached to the acknowledgement e-mail (refer to Appendix C6 of the BAR).</p> <p>An I&AP on the list could not be registered as no details were provided. Information was requested from the stakeholder and the information has not been received to date.</p> <p>All registered I&APs have been notified of the availability of the BAR for their review and comments (refer to Appendix C6 of the BAR). The availability has also been advertised in the Herald (a provincial newspaper) and Hartland Nuus (a local community newspaper) (refer to Appendix C3 of the BAR).</p> <p>The map indicating opposing landowners to the development is noted.</p> <p>All comments received from the I&APs during the 45-day review period of the BAR will be recorded, included and addressed within the final BAR to be submitted to DEFF for decision-making.</p>
9.	<p>This is to confirm Wind Relic and Dimsum partnership from yesterday question.</p>	<p>Chad Comley I&AP</p>	<p>The queries / requests relating to company information and/or matters do not fall within the ambit of the BA process undertaken for the Wind Garden Wind Farm.</p>

No.	Comment	Raised by	Response
	<p>Pls could you also supply me with answer to the following questions:</p> <ol style="list-style-type: none"> 1. who is the project manager of the clusters of renewable energy facilities 2. who are the directors of wind relic and all the applicants company/s 3. could you pls provide me with the shareholders certificates in wind relic and all the other applicant companies 4. it would be appreciated if you could get back to me with a response as soon as possible. Maybe by the end of the week 	<p>E-mail: 17 February 2021</p>	<p>The information requested regarding shareholding and directorship can be obtained from the Companies and Intellectual Property Commission (CIPC).</p>
10.	<p>I hope you are well. I wonder if you could please assist me with a development. I came across in a Town Planning Notice for the development of a cluster of renewable energy facility between Somerset East and Grahamstown, Eastern Cape.</p> <p>I do not have any objections I am an interested party and I wanted to know if you would please provide me with the details of the client or any professionals involved.</p> <p>I am interested in following the progress of the various stages of this development from the town planning stages, through design and construction. I follow all the building and construction projects in South Africa and Africa right from the conceptual stages up until construction is complete.</p> <p>EIA Consultant: ? Town Planners: ? Client: ? Private Developer: ?</p>	<p>Estelle Pillay Regional Content Researcher Projects Leads2Business</p> <p>E-mail: 22 February 2021</p>	<p>Savannah Environmental is the appointed EAP undertaking the various environmental studies for the BA process and is not associated with or responsible for the Town Planning application. Savannah Environmental is also not part of the procurement / construction phase of these projects.</p> <p>The responses to the requested information are:</p> <ul style="list-style-type: none"> • EIA Consultant: Savannah Environmental • Town Planners: Not part of the BA process scope of work • Client: Information for all the projects are included in the Background Information Document • Private Developer: Yes

No.	Comment	Raised by	Response
	Please can you provide me with the copy of the Background Information Document for this development.		