

**SOLARIS FIELDS SOLAR PHOTOVOLTAIC, EASTERN CAPE PROVINCE  
(DFFE Ref. No.: To be Issued)**

**COMMENTS AND RESPONSES REPORT**

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The Basic Assessment (BA) Process for the Solaris Fields 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 was distributed together with a notification letter which served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have on any of the proposed developments or all. 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 Basic Assessment (BA) Report is available for a 30-day review and comment period from **Friday, 12 November 2021** until **Monday, 13 December 2021**. The Comments and Responses Report (C&RR) will be updated with comments received during the review and comment period and included in **Appendix C7** of the final Basic Assessment Report.

The C&RR is included as a separate document to the BA Report as **Appendix C8**.

**LIST OF ABBREVIATIONS / ACRONYMS**

BA	Basic Assessment	CIPC	Companies and Intellectual Property Commission
BAR	Basic Assessment Report	EAP	Environmental Assessment Practitioner
BID	Background Information Document	I&AP	Interested and Affected Party

## 1. COMMENTS RECEIVED DURING THE COMMENCEMENT OF THE BASIC ASSESSMENT PROCESS

### 1.1. Organs of State

No.	Comment	Raised by	Response
1.	<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><b>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.</b></p> <ol style="list-style-type: none"> <li>1. Eskom's rights and services must be acknowledged and respected at all times.</li> <li>2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.</li> <li>3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.</li> <li>4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.</li> <li>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.</li> <li>6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous</li> </ol>	<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
	<p>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.</p>		
2.	<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"> <li>• No installation of any infrastructure inside the Road Reserve.</li> <li>• 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.</li> <li>• All other buildings / structures should be erected at least 60 metres from the National Road Reserve boundary and / or 500 metres from any intersection.</li> <li>• If access is required from the National Road, an approval from SANRAL is required, otherwise access can be obtained from the nearest numbered route.</li> <li>• A formal application together with the plans of the proposed wind farm must be submitted to SANRAL.</li> <li>• Construction of all work may only commence after written approval has been obtained from SANRAL.</li> </ul>	<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>
3.	<p>Can you please send a kml/kmz file of the localities for this proposed project?</p>	<p>Shanè Gertze Environmental Planner Eastern Cape Parks &amp; 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	

## 1.2. 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 <b>Appendix C7</b> 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 ( <b>Appendix C2</b> ).  A Socio-Economic Impact Assessment ( <b>Appendix L</b> ) 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 ( <b>Appendix C2</b> ). 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 <b>Appendix C7</b> 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 <b>Appendix C7</b> 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 <b>Appendix C6</b> of the BAR).</p> <p>An I&amp;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&amp;APs have been notified of the availability of the BAR for their review and comments (refer to <b>Appendix C6</b> of the BAR). The availability has also been advertised in the Herald (a provincial newspaper) and Hartland Nuus (a local community newspaper) (refer to <b>Appendix C3</b> of the BAR).</p> <p>The map indicating opposing landowners to the development is noted.</p> <p>All comments received from the I&amp;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&amp;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"> <li>1. who is the project manager of the clusters of renewable energy facilities</li> <li>2. who are the directors of wind relic and all the applicants company/s</li> <li>3. could you pls provide me with the shareholders certificates in wind relic and all the other applicant companies</li> <li>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</li> </ol>	<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>
<p>10.</p>	<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"> <li>• EIA Consultant: Savannah Environmental</li> <li>• Town Planners: Not part of the BA process scope of work</li> <li>• Client: Information for all the projects are included in the Background Information Document</li> <li>• Private Developer: Yes</li> </ul>

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