



Registration no. 2018/217803/07

**TRANSNET'S PROPOSED LEPHALALE RAILWAY YARD
EXPANSION, STEENBOKPAN, LEPHALALE LOCAL MUNICIPALITY,
WATERBERG DISTRICT, LIMPOPO PROVINCE**

**In support of an EIA process, Water Use License Application Procedure and
Mining Permit Application (Borrow Pits)**

DEA Project Reference number: 14/12/16/3/3/2/1133

ISSUES AND RESPONSE REPORT

Version 4

- Volume 3 Appendix 3L to Public Participation Process—

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Transnet Ref: Lephalale Railway Yard Environmental Assessment: 3424302.023S

Date: October 2019

Revisions: Version 4

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1. INTRODUCTION

This Issues and Response Report (IRR) presents comments from Interested and Affected Parties (I&APs), stakeholders and organs of state received during the following public engagements:

Scoping Phase under the Application for Environmental Authorisation DEA ref. 14/12/16/3/3/2/1116

- Public registration period on the Background Information Document (BID) from 23 July to 28 August 2018; and
- Public review and comment period on the Draft Scoping Report from 29 October to 5 December 2018; and
- Public meeting of 13 November 2018 at Lephalale
- Focus Group Meeting of 26 November 2018 with Mr. H. Hills at Brits
- Public meeting of 13 February 2019 with Lesedi Community
- Public comments submitted by I&APs whilst DEA was considering the final Scoping Report

EIA Phase under the new Application for Environmental Authorisation DEA ref. 14/12/16/3/3/2/1133

- Landowner Consultation Meeting of 4 July 2019 with Mr Hendrie Hills at farm Geelhoutkloof 359LQ
- Public meeting of 24 July 2019 at Komunati Lodge
- Public comments submitted by organs of state, I&APs on the draft EIR and EMPr document during the public review period of 8 July 2019 to 6 August 2019 and up to 13 August
- DEA site inspection with key stakeholders on 17 September 2019 at the Lephalale Yard.

The IRR provides a summary of the issues received and offers a response to the issues raised. As indicated, the public is consulted in two stages during the Scoping and EIA Phase and thus the IRR consists of versions. These versions include:

- Version 1 – IRR appended to the draft Scoping Report available for public review
- Version 2 - IRR appended to the final Scoping Report submitted to DEA for approval
- Version 3 – IRR appended to the draft EIR available for public review
- Version 4 – IRR appended to the final EIR submitted to DEA for approval

Version 1 of the IRR was appended to the draft Scoping Report made available for public review and comment from 29 October to 5 December 2018. Version 2 of the IRR was appended to the final Scoping Report submitted to the Department of Environmental Affairs for consideration in its decision making as to whether to approve or reject the Scoping Report and approach to the EIA Phase. The IRR Version 2 was made available to I&APs on the Naledzi website at www.naledzi.co.za/publicdocuments. IRR Version 3 was appended to the draft EIR made available for public review and comment from 8 July to 13 August 2019.

This document, the IRR Version 4 is appended to the final EIR and EMPr and is submitted to the Department of Environmental Affairs to assist with reaching a decision on the

application. This document is also available to I&APs on the Naledzi website at www.naledzi.co.za/publicdocuments.

2. ISSUES AND RESPONSE REPORT

Please refer to page 5 for the summary of issues raised by I&APs, stakeholders and organs of state to date on the project and responses provided thereto. This includes submissions on both the former and new application submitted for the Transnet Lephalale Railway Yard Expansion project.

Refer to page 114 *Annexure A* for copies of the written comments as well as completed Comments & Response forms received during the Public Registration period on the BID *and* page 116 for *Annexure C* for Comments received on the draft Scoping Report including official responses provided thereto. Also refer to page 117 for *Annexure D* for comments received from I&APs whilst DEA considered the final Scoping Report and page 118 for *Annexure E* for comments received on the draft EIR and EMPr including official responses provided thereto.

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LIST OF ACRONYMS

I&AP	Interested and Affected Party
BID	Background Information Document
IRR	Issues and Response Report
PPP	Public Participation Process
PPP Report	Public Participation Process Report
DEA	National Department of Environmental Affairs
LEDET	Limpopo Department of Economic Development, Environment & Tourism
LLM	Lephalale Local Municipality
WDM	Waterberg District Municipality
DAFF	Department of Agriculture, Forestry and Fisheries
SACAA	South African Civil Aviation Authority
DWS	Department of Water and Sanitation
SANRAL	South African National Roads Agency Limited
SAHRA	South African Heritage Resources Agency
EWT	Endangered Wildlife Trust
DMR	Department of Mineral Resources
DRDLR	Department of Rural Development and Land Reform
NEC	Naledzi Environmental Consultants Pty Ltd
Transnet	Transnet SOC Ltd
EIA	Environmental Impact Assessment
SR	Scoping Report
EIR	Environmental Impact Report
dB	Decibels
SOC	State Owned Company
WWTW	Waste Water Treatment Works
NEMA	National Environmental Management Act, 1998 (Act 107 of 1998)
NEM:AQA	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
LEMA	Limpopo Environmental Management Act, 2003 (Act 7 of 2003)
NFA	National Forest Act, 1998 (Act 84 of 1998)
NEMPA	National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003)
SIP	Strategic Infrastructure Projects
LN	Listing Notice

Table 1: Issues and Responses recorded from written submissions and meetings during the EIA Process, WULA and Borrow Pit Application

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
1. COMMENT FROM LEDET_BID			
1.1	23/08/2018 Official Letter LEDET: Environmental Impact Management (ME Molepo)	Provide the capacity and the position of the proposed water reservoir to confirm whether it is listed in terms of Listing Notice 3 Activity 2 of the NEMA EIA Regulations.	<p>EAP: Capacity: 260m³</p> <p>Dimensions: 7.32m x 7.32m x 4.8m Location: 23°45'41.75"S 27°27'6.52"E.</p> <p>The construction of a water reservoir triggers Listing Notice 3 Activity 2 due to its volume (more than 250m³) and position in geographical area. It is positioned in a Critical Biodiversity Area (ESA 1) in terms of the Limpopo Conservation Plan 2013 and presumed to fall in a Critical Biodiversity Area 'Optimal' in terms of the Waterberg Bioregional Plan (GNR 2966 of 4 January 2019). The reservoir position on the farm Geelhoutkloof 717LQ also falls within the current boundaries of the Koedoe Nature Reserve. Transnet will assist landowners (once negotiated) to apply for amendment of protected area boundary in order to exclude the proposed railway yard expansion servitude from the proclaimed area.</p> <p>Refer to Section 4.5, Table 7 of the EIR for the triggered listed activities.</p>
1.2	23/08/2018 Official Letter LEDET – Environmental	Part of the site is classified as a CBA2 where loss of natural habitat should be minimized, i.e. land in this category should be maintained as natural vegetation	<p>EAP: 14 May 2019 (updated)</p> <p>In line with the Limpopo Conservation Plan an Ecological Impact Assessment Study was conducted by</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
	Impact Management (ME Molepo)	cover as far as possible. These areas of land can act as possible biodiversity offset receiving areas. Degraded and disturbed CBA's should be prioritized for rehabilitation.	<p>RF. Terblanche. (EIR, Volume 2-Appendix 2F) to assess the impact of the different land use on the CBA unit.</p> <p>The findings indicate it is unlikely that the project will result in loss of Threatened, Near Threatened and Declining plant or animal species. The site does not appear to be specific breeding habitat for any large carnivore and bird species which roam large areas of which the site is part. Scope for the site to be part of a corridor of particular conservation importance is small. The two small pan depressions and three drainage lines (sandbeds) at the site are part of corridors of particular conservation importance. In the case of the small seasonal pans, a stepping stone corridor applies.</p> <p>All activities will be limited to the expansion footprint; the three stream crossings will be limited to extension of culverts from the existing to the new railway tracks. The buffer zones of pans are already compromised. Pan 1 & 2 is to be moved forty metres from the edge of the road next to the proposed Railway Line site during construction. Wetland characteristics of these pans may even slightly improve in such a case</p> <p>If the development is approved and these</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>recommendations, which lead to two rehabilitated small pans and buffer zones, could be successfully implemented the risk of loss of biodiversity corridors and stepping stone small wetlands in the larger area shifts will be moderate to low. A rehabilitation plan which includes the re-establishment of indigenous vegetation at the site will be implemented.</p> <p>Addressed in EIR (Section 5.3.2; 8.10.2.3). Also see identified ecological risks for all phases of the project including cumulative risks from Section 10.3-10.6. Mitigation measures to address the impacts are included under Section 10.7 (Table 37).</p>
1.3	<p>23/08/2018 Official Letter LEDET – Environmental Impact Management (ME Molepo)</p>	<p>Based on the Waterberg Environmental Management Framework part of the site is classified as Zone 2 (Nature and cultural tourism focus area with high quality natural setting). This zone represents areas with high, natural visual and cultural quality with the potential for development of nature and/or cultural based tourism.</p>	<p>EAP: 09/09/2019 (updated)</p> <p>This point is addressed under Section 5.3.3 and 5.3.4 of the EIR.</p> <p>Visual-, Ecological-, Noise-, Heritage- and Social Impact Assessment (SIA) Studies were conducted for the project including a Palaeontological Desktop Study to determine the potential impacts the project may have on these aspects. These aspects are important for tourism based activities. The studies are included under Volume 2 of the EIR.</p> <p>Primarily, the Lephalale railway yard is an existing facility which will be expanded. Noise levels will be high during operation but can be managed to comply</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>with the relevant noise regulations. The additional visual impact will be very low and won't increase the already high visual impact in the area. No sites of cultural or heritage significance or Palaeontological significance were identified onsite.</p> <p>According to the SIA the sense and spirit of place will be altered permanently by the project but can be mitigated to lower its intensity by managing visual and noise impacts.</p> <p>Industrial activities are present near the site and Threatened species and Near Threatened species are absent from the project footprint area. The project will have a moderate to low impact on ecology given mitigations are upheld within the planned footprint. The cumulative impact on sensitive species and connectivity of ecosystems are limited.</p> <p>See Section 8.10, 8.12, 8.13, 8.15, 8.16 (8.16.1.1.2 and 8.16.1.1.4) for a description of potential impacts on these attributes and Section 10.7 (10.7.20 and 10.7.23) of the EIR for recommended mitigation measures.</p>
<p>2. COMMENTS FROM LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND TOURISM (LEDET) _27 NOVEMBER 2018: COMMENT ON DRAFT SCOPING REPORT</p>			
2.1	<p>27/11/2018 Official Letter LEDET: Environmental Impact Management</p>	<p>It is indicated that Boikarabelo Coal Mine has already started with Phase 1 of the holding yard. Is Section 24G of NEMA not applicable?</p>	<p>EAP: Section 24 G of NEMA is not applicable to the project. The Lephalale Railway Yard is an existing 100 wagon yard which will be expanded to accommodate 200 train wagons in future for increase in load and</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
	(MC Rodgers)		<p>capacity.</p> <p>Resgen Boikarabelo Coal Mine is presently constructing its 36km rail link next to and from the existing Lephale-Thabazimbi railway track to its Resgen Plant towards the farm Kruishout 271LQ. The rail link was approved in 2012 by LEDET as part of the Boikarabelo Coal Mine EIA.</p> <p>Transnet will augment the existing Transnet infrastructure and Resgen rail link holding yard with the expansion/development of the Lephale Railway Yard to accommodate a further 100 train wagons. This was updated in the Scoping Report under Section 6.1 and highlighted in Section 3.5 and 4.2 of the EIR.</p>
2.2	27/11/2018 Official Letter LEDET: Environmental Impact Management (MC Rodgers)	The combined storage capacity of the dangerous goods exceeds 500 cubic metres for which activity 4 of Listing Notice 2 of the EIA Regulations of 2014, as amended is included. It is advised that the applicability of activity 6 of Listing Notice 2 be considered taking into consideration subcategory 2.2 on the storage and handling of petroleum products in the NEM: AQA 2004 for which is license is required.	<p>EAP: Updated 14 May 2019</p> <p>The combined diesel storage capacity at the Lephale Railway Yard will be 600m³. The threshold for Section 21 Listed Activities Subcategory 2.4 ‘Storage and Handling of Petroleum Products’ under NEM: AQA applies to all permanent immobile liquid storage facilities at a single site with a combined <u>capacity of greater than 1000m³</u>. The proposed storage capacity for the railway yard is thus well below the Licensing requirement threshold.</p>
2.3	27/11/2018 Official Letter LEDET: Environmental	The site must be investigated for occurrence of the succulent stapeliad and related species, <i>Piarranthus atrosanguineus</i> indicated as endemic or near endemic	<p>EAP: Updated 14 May 2019</p> <p>Based on the Ecological Survey and Impact Report (Volume 2, Appendix 2F of EIR) the succulent stapeliad <i>Piarranthus atrosanguineus</i> was not recorded</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
	Impact Management (MC Rodgers)	species, as they are considered to be protected in terms of the LEMA, taking into consideration that the <i>Huerniopsis</i> and <i>Stapelias</i> (closely related synonyms) are protected.	onsite and is unlikely to be resident onsite based on lack of habitat. Refer to Section 8.10.2.1 of EIR.
2.4	27/11/2018 Official Letter LEDET: Environmental Impact Management (MC Rodgers)	Information in paragraph 11.10.2 (b) of the Scoping report does not distinguish between protected trees protected under LEMA and those under the NFA, as only some are protected by both. Tamboti (<i>Spirostachys Africana</i>) included in the list of protected trees is protected through LEMA not NFA.	<p>EAP: This has been corrected in the Final Scoping Report under Section 11.10.2 (b) and also included in the EIR under Section 5.1.6 and 8.10.2.1 ‘Occurrence of Threatened or other High Conservation Priority Plant Species’.</p> <p>Three protected tree species confirmed onsite appear on the national list of protected tree species as promulgated by the National Forest Act, 1998 (Act 84 of 1998). One tree species confirmed onsite, Tamboti, is protected provincially protected in terms of LEMA.</p> <p>A permit for removal of any Tamboti (<i>Spirostachys Africana</i>) species found in the project footprint will be obtained from LEDET in terms of LEMA.</p> <p>Permits for removal of protected tree species will be obtained from DAFF for removal of any listed nationally protected tree species found within the footprint areas such as Marula, and Sherpards Tree observed onsite.</p>
2.5	27/11/2018 Official Letter LEDET: Environmental Impact Management (MC Rodgers)	Red Listed, Important, Endemic and Protected Faunal Species indicated in paragraph 11.10.3, the specialist study should make provision for addressing the Cape Vulture and Eurasian bitted, to determine if relevant with regards to the project.	EAP: The requirements has been included in the Final Scoping Report under Section 11.10.3 under ‘Red Listed, Important, Endemic and Protected Faunal Species’ and will form part of the scope for the Ecological Impact Assessment.

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>Updated response: 14 May 2019</p> <p>Based on the Ecological Impact Study completed for the project Cape Vulture and Eurasian bittern were not recorded onsite and are unlikely to occur onsite. Threatened vulture species such as <i>Gyps africanus</i> (White-backed Vulture) listed nationally as Critically Endangered could cross the site from time to time. There are no signs (such as nests) or observations that indicate a specific importance of the site for threatened or near threatened bird species. This is addressed under Section 8.10.2.2 (b) of the EIR and Volume 2, Appendix 2F attached to the EIR.</p>
2.6	<p>27/11/2018 Official Letter LEDET: Environmental Impact Management (MC Rodgers)</p>	<p>It is indicated that the relocation of borrow pit area 1, which may pose a risk for structural damage to the power line will be addressed as part of the DMR application process. Will viable alternatives not be best addressed in the EIA Process since it's an integrated process?</p> <p>It is not clear if the borrow pit application has already been submitted to the DMR.</p>	<p>EAP_2018: The alternative position for Borrow Area 1 will be discussed in the EIR for the project. The Mining Permit / Borrow Pit Application have not been submitted to the DMR yet. It will be submitted during the EIA Phase once the preferred Borrow Pit location has been confirmed. See Section 5.3 and 9.3 of the final Scoping Report.</p> <p>Updated response 15/10/2019</p> <p>Consideration of alternatives for the borrow areas are discussed under Section 4.4.8, Figure 6 and Section 7.1 (b) of the final EIR.</p> <p>Transnet has investigated alternative borrow area as per the request of the affected landowner. The conclusion from the Transnet's investigation is the alternatives proposed by the landowner cannot be</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>considered feasible since it's not verified by any Geotechnical Investigation. To this extent Transnet has made the decision to submit the borrow pit applications to the DMR for its preferred borrow sites with the provision of Section 39 of NEMA Regulations in their favour.</p> <p>As per Regulation 39 of the NEMA EIA Regulations 2014 the requirement for landowner consent for application of environmental authorisation, does not apply inter alia for linear developments (e.g. railway lines) or if it is a Strategic Infrastructure Project (SIP) as contemplated in the Infrastructure Development Act, 2014. The project including the required borrow pits, fall under SIP 1 and thus landowner consent is not required.</p> <p>I&APs will be notified of the application submission and afforded the opportunity to comment on the Basic Assessment Report and Environmental Management Plan for the borrow areas.</p>
2.7	<p>20/11/2018 Email LEDET: Protected Areas (Christiaan Visagie</p>	<p>According to our records it is clear that Geelhoutkloof farm and specifically the remainder, is declared as Koedoe private nature reserve. As it is still a gazetted reserve it is advised that the owner of the property request for deproclamation of the farm or that the boundaries of the nature reserve be amended.</p>	<p>EAP: NEC has conducted a Focus Group Meeting on 26 November 2018 with Mr Hendrie Hills, the owner of farm Geelhoutkloof in this regard. Negotiations between Mr Hills and Transnet first need to be secured before any action can be taken with regard to the amendment of the Koedoe Nature Reserve boundary. It is anticipated that these discussions will be continued</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>The area is declared and recognised under the Protected Areas Act and must thus be handled as mentioned in the act.</p>	<p>throughout the EIA Phase of the project. See Section 10.1.8 and 11.11 of the Scoping Report including, Appendix D9 for the FGM Notes with Mr Hendri Hills.</p> <p>Updated response 15 October 2019</p> <p>The two directly affected landowners have exchanged certain land parcels covered by the project. The Koedoe Nature Reserve now extends over Geelhoutkloof 745LQ and a portion of Enkeldraai 718LQ. The reserve is owned by Mr Hendrie Hills south of the railway track and Mr Sauer north of the track.</p> <p>According to DEA, Transnet must acquire landowner approval in terms of Section 50 (5) of NEMPAA. Transnet has not been able to acquire the approval letters during the EIA Process and will negotiate with Mr Hills and Mr Sauer, as part of the land acquisition process, to apply for the amendment of the PA boundary to LEDET and will assist with the application process. This is a separate process to the EIA.</p> <p>According to Social and Ecological Specialists Transnet must negotiate with Mr Hills and Mr Sauer about amending the boundaries of the Koedoe Nature Reserve to an extent which is practical for the foreseeable future in terms of most likely developments.. Transnet must carry all the costs associated with this process.</p> <p>Refer to Section 3.4, 5.1.8, 8.10.2.5 and 8.16</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			(8.16.1.1.4) of the EIR regarding the Koedoe Nature Reserve. Also refer to the Social Impact Study under Volume 2, Appendix 2K and the Ecological Impact Study under Appendix 2F.
3. COMMENTS FROM LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND TOURISM (LEDET) _7 FEBRUARY 2019: COMMENT ON FINAL SCOPING REPORT			
3.1	07/02/2019 Official Letter LEDET: Environmental Impact Management (MC Rodgers)	The final SR contains responses to comments raised by the Department clarifying details of the project not clearly understood at the time of consultation.	EAP: Transnet has confirmed that extensive cut and fill activities will be undertaken and two borrow areas will be required. Materials that cannot be sourced from the borrow areas will be purchased from commercial quarries in the local area.
3.2		The Department would like to enquire whether it is feasible to investigate the use of waste rock from mine dumps as alternative to establish a borrow pit in the application to the Department of Mineral Resources.	
3.3		The Department has no objection to the approval of the SR.	

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
<p>4. COMMENTS FROM LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND TOURISM (LEDET) _15 AUGUST 2019: COMMENTS ON DRAFT EIR REPORT</p>			
4.1	15/08/2019: Official Letter LEDET: Environmental Impact Management (MC RODGERS)	<p>The EIR with regards to the above mentioned received by the Department on 16 July 2019 refers.</p> <p>On page 97 it is indicated under the heading 8,8.1 Stream crossings, that the North Facility and Staff buildings will be developed within the 32m buffer zone. It is not clear whether activity 12(ii)(c) of Listing Notice (LN) 1 of 2014 would apply as the extent of the existing railway line reserve is not known by the Department. It was noted, however, that the existing reserve requires an additional 22 hectares (page 30) in order to accommodate the required expansion. Since the guidelines advises development to be 100m away from the bank of a Freshwater Ecosystem priority Areas (FEPA) River according to the implementation Manual by Water Research Commission Report No 1801/1/11, the Department does not understand the need for positioning the aforementioned infrastructure so close to the drainage line, which could make it vulnerable to erosion.</p>	<p>EAP: The expansion of railway yard facilities within 32m of streams has been included in the application for environmental authorisation under Activity 48 under Listing Notice 1 and Activity 23 under Listing Notice 3. We have also now added Activity 12(ii)(c) to the application. See Section 4.5 Table 7 of the final EIR.</p> <p>Facilities are strategically placed according to 200 wagon trains and the function the facility is to provide within the yard at the specific section of the train is it enters and exists the yard. The facilities cannot be relocated as it would result in a dysfunctional yard and incorrect position in relation to train lengths. Thus infrastructure positions are strategic within the yard. Further the north provision facility would be located on a fill. The current culvert structure would be extended past /under the facilities and new tracks to allow the ephemeral stream to flow below/under the tracks and North facility. The active channel of this ephemeral stream is poorly developed and most likely enhanced by storm water runoff.</p>
4.2		It can be noted that the Waterberg Bioregional Plan has been Gazetted since the initial application for the	EAP: We have consulted the Waterberg Bioregional Plan and the Waterberg District Municipality Map of Critical Biodiversity Areas on the SANBI BGIS

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>proposed development (Activity 12 of LN 3 of 2014). See provincial Notice 1 of 2019 No. 2966 of 04 January 2019. It is understood that it is based on the Limpopo Conservation Plan 2013 which features in the assessment.</p>	<p>advisor. Based on the Bioregional map the western portion of the railway yard footprint appears to correspond to a Critical Biodiversity Area ‘Optimal’ similar to the CBA defined in the Limpopo Conservation Plan of 2013. There are no GIS files available for the Bioregional Plan to be overlain on the project footprint map thus we have identified the CBA according to the approximate position of railway yard then cross referenced it with the Limpopo Conservation Plan. We subsequently added the Waterberg Bioregional Plan CBA under Section 4.5 of the Final EIR in Table 7 under Activity 12 of Listing Notice 3. The Waterberg Bioregional Plan has also been addressed under Section 5.3.3 of the Legislative Requirements section of the Final EIR.</p>
4.3		<p>A second notice could not have been issued already in the Mogol post if the date in question is 26 October 2019 (page 140 Newspaper advertisement), unless it was 26 October 2018.</p>	<p>EAP: Apologies for the typo it should read 26 October 2018. It has been corrected in the final EIR document. Refer to Section G/9, subsection 9.4 of the final EIR.</p>
4.4	<p>17/09/2019: DEA Site Inspection LEDET: Environmental Impact Management (MC RODGERS)</p>	<p>The process of de-proclamation and or amendment of the Koedoe Nature Reserve boundaries for the yard expansion requires the landowner’s approval. If the approval is not available the project is stuck.</p>	<p>EAP: DEA confirmed on 25 September 2019 that approval in terms of Section 50 (5) of NEMPAA is required from Mr Hills and Mr Sauer to expand the yard further</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>onto the nature reserve. Transnet has not yet been able to acquire the Section 50(5) approval from the landowners for the yard expansion across the proclaimed area despite several engagements and attempts. The landowners are not willing/able to provide such Section 50(5) approvals and have given the following key pre-requisites before such approval will be granted (refer to Issues and Response Report):</p> <ul style="list-style-type: none"> • Compensation value for the land to be acquired must be agreed; and • An alternative location for the yard, closer to the Medupi Station, must be considered; <p>Transnet's land acquisition process fall outside the ambit of the EIA process.</p> <p>Relating to compensation: Transnet will, as per the recommendation of the attached Final EIR, compensate the landowners to apply to LEDET for the amendment of the nature reserve boundaries to exclude the railway yard from the proclaimed area and no development will take place until the compensation value has been confirmed.</p> <ul style="list-style-type: none"> • An alternative location closer to the Medupi

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			<p>Station is not possible for the following reasons:</p> <ul style="list-style-type: none"> • It would make operational efficiency of train shunting extremely problematic and therefore greatly increase the turnaround time of trains from mine/customer to destination; • Rail simulation has identified the preferred site as most suitable to meet commodity volume demands; and • The geometry (gradient etc.) of the preferred site is most favourable <p>The project's encroachment on the Koedoe Private Nature Reserve is not considered to be a fatal flaw since the nature reserve is in fact used for commercial hunting purposes. Section 17 of NEMPAA stipulates the purposes for proclamation of protected areas and these are not fulfilled at the Koedoe Nature Reserve.</p> <p>Despite the lack of Section 50 (5) approval from the landowners Transnet have the legal remedy to expropriate certain rights from the landowner, which includes the acquiring of servitude, amongst other things for public good.</p> <p>The Constitution of the RSA makes provision under Section 25 for expropriation of property in the public interest subject to compensation and thus there is no reason for this project not to proceed. Legal avenues are available subject to Transnet following due process. Please refer to</p>

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			Executive Summary and Section 3.4 of the Final EIR.
<p>5. DEPARTMENT OF ENVIRONMENTAL AFFAIRS: INTEGRATED ENVIRONMENTAL AUTHORISATIONS_5 DECEMBER 2018 (CASE OFFICER): COMMENT ON DRAFT SCOPING REPORT</p>			
5.1	<p>05/12/2018 Letter DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Mmamohale Kabasa)</p>	<p>All listed activities applied for, must be specific, and linked to the development activities described in project description. EAP must establish if Activity 10 (e)(i) of LN3 is applicable to the development. If the activities applied for in application form differ from those mentioned in SR, an amended application form must be submitted.</p>	<p>EAP: The relevant listed activities, specific and linked to the development activities are tabled in Table 3 Section 4.1 and Table 7 Section 7.1 in the Scoping Report.</p> <p>Activity 10 (e)(i) of Listing Notice 3 is not applicable the storage exceeds 80m³. The railway yard will store a total of 600m³ of diesel. It is thus not applicable to the project.</p> <p>Since Transnet will be using an alternative sewage system Activity 25, LN 1, GNR 327 is no longer applicable since the Bio-Mite sewage treatment system capacity will be well below the daily throughput capacity threshold of 2000m³ of Activity 25. The application for EA has been amended accordingly and submitted to DEA with the final Scoping Report.</p>
5.2	<p>05/12/2018 Letter DEA: Integrated Environmental Authorisations_Strategic</p>	<p>The development is located within the Tierkop Nature Reserve and Koedoe Nature Reserve. The applicant must secure the necessary permissions as per Section 46 and 50 of NEMPAA.</p>	<p>EAP: NEC has conducted a Focus Group Meeting on 26 November 2018 with Mr Hendri Hills, the owner of farm Geelhoutkloof in this regard. Negotiations between Mr Hills and Transnet first need to be secured before any action can be taken with regard to the</p>

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	Infrastructure Projects (Mmamohale Kabasa)		<p>amendment of the Koedoe Nature Reserve boundary. It is anticipated that these discussions will be continued throughout the EIA Phase of the project. See Section 10.1.8 and 11.11 of the Scoping Report including, Appendix D9 for the FGM Notes with Mr Hendri Hills.</p> <p>Updated response 15/10/2019</p> <p><u>Please note the development is only located in the Koedoe Private Nature Reserve.</u> It is the existing Transnet servitude road that cuts across the Tierkop Nature Reserve. The upgrading of this existing servitude road does not form part of this EIA Process Scope of Works.</p> <p>Please refer to response under Section 4.4 of this IRR.</p>
5.3	<p>05/12/2018 Letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)</p>	<p>All comments from all relevant stakeholders are to be submitted with the final SR. This includes DAFF, Department of Agriculture, SACAA, Department of Transport, LLM, WDM, DWS, SANRAL, SAHRA, EWT, Birdlife SA, DMR, DRDLR. Engage with the DEA: Trans-Frontier Conservation Areas and Protected Areas Planning, Karl Naude (contact details supplied). All comments from I&APs and organs of state must be adequately addressed in the final SR. Proof of correspondence with the various stakeholders must be included in final SR and or proof of attempts</p>	<p>EAP: All comments are recorded in the IRR and copies thereof are included under Annexure C to the IRR. The DSR was submitted to LLM, WDM, DWS, LEDET, DAFF, Eskom, SAHRA, DMR and DRDLR as well as DEA Trans-Frontier Conservation Areas and Protected Planning Areas. Comments were received from DWS, LEDET (Protected Areas and Environmental Impact Management), Eskom, SACAA, DEA Trans-Frontier Conservation Areas and Protected Planning. All comments have been addressed in the Scoping Report.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		to obtain comments.	<p>Proof of correspondence with the various stakeholders is included under Appendix D6 to D9 as part of the Final Scoping Report. Proof of correspondence with stakeholders based on comments submitted is included under Annexure C of this IRR.</p> <p>NEC will continue to solicit comments from stakeholders such as LLM, WDM, SAHRA, DMR, DRDLR, Eskom, Department of Agriculture, Department of Transport, EWT and Birdlife SA during the EIA Phase and will be included in the final EIR.</p>
5.4	<p>05/12/2018 Letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)</p>	<p>The IRR must incorporate all comments for the development and must be a separate document from the main report. The PPP must be conducted in terms of Regulations 39-44 of the EIA Regulations of 2014. The final SR must indicate draft SR was subject to PPP. The final SR must clearly indicate the name of the newspaper that the advertisement for the draft SR has been advertised.</p>	<p>EAP: The IRR is attached under Appendix D10 to the Final Scoping Report yet provided as a standalone document.</p> <p>The PPP has been conducted in terms the NEMA EIA Regulations of 2014 (as amended). See Section 13 of the final Scoping Report.</p> <p>The draft SR was subject to public review and engagement from 29 October to 5 December 2018. See Section 13.1, 13.4, 13.5 and 13.6 of the final Scoping Report.</p> <p>Availability of the draft SR was published in the Mogol Post on 26 October 2018. See Section 13.4 under Newspaper Advertisements included in the final SR. A copy of the newspaper tear sheet is included</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			under Appendix D4 of the final SR.
5.5	05/12/2018 Letter DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Mmamohale Kabasa)	Provide a description of any identified alternatives that are feasible and reasonable, including advantages and disadvantages it will have on the environment and on the community that may be affected by the activity. Indicate which alternative is preferred and provide detailed motivation on why it is preferred.	EAP, Marissa Botha, NEC: The identified alternatives have been updated in the Scoping Report. Refer to Section 9, 9.1 – 9.6 of the SR.
5.6	05/12/2018 Letter DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Mmamohale Kabasa)	The TOR for the ecological assessment must also investigate: <ul style="list-style-type: none"> • Impact of the proposed development on the integrity of the protected areas; • Indicate and describe the competing land uses in the area • Assessment and ground truthing for both summer and winter months 	EAP, Marissa Botha, NEC: The aspects to be covered by the Ecological Assessments have been updated in the Plan of Study of the EIA. See Section 14.4.2 (A) of the final SR.
5.7	05/12/2018 Letter DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Mmamohale Kabasa)	The SR indicates that the 11-33kV Eskom distribution line south of the existing railway track would be relocated to make way for the facility. The final SR must indicate to where the line will be relocated and evidence of engagements with Eskom. Who will be responsible for the relocation? If it's the applicant an assessment of the relocation must be included as part of this project.	Applicant_Transnet: Transnet will avoid any interference with Eskom's infrastructure with regards to the development of the Lephalale Yard. Infrastructure within the railway yard design will be relocated to accommodate the 22kV Theunispan Stockpoort power line. Transnet is also seeking an alternative site for Borrow Area 1 further away from the Medupi Spitskop 1400kV power line to avoid any impact on the servitude. See

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			Section 5.3 of the final SR.
5.8	05/12/2018 Letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)	The final SR must provide technical details of the railway line in a table format as well as their description and dimensions as per the provided example.	EAP, Marissa Botha, NEC: See updated Section 7.1, Table 3 for technical details in table format. Please note no table format example was attached to DEA's comments.
5.9		The SR must provide a clear indication of the envisioned area for the proposed railway line route and all associated infrastructure should be mapped at an appropriate scale.	EAP, Marissa Botha, NEC: See Section 7.1 of the final SR. The new railway yard goes beyond Transnet servitude and requires approximately 22 hectares of land to be acquired. See Appendix B for the Railway Yard Layout Plan.
5.10		The SR must provide clear description of location of all associated infrastructure: <ul style="list-style-type: none"> • Start, middle and end point of all linear activities to be authorised; • All supporting onsite infrastructure such as buildings, laydown area, access and service roads A copy of the preferred route layout map. All available biodiversity information must be used in the finalisation of the layout map. Use existing infrastructure as far as possible. The layout must indicate the following: of <ul style="list-style-type: none"> • Wetland, rivers, water crossings, roads, 	EAP, Marissa Botha, NEC: See updated Section 7.1, Table 3 of the final SR for technical details in table format and respective GPS coordinates. The Layout Plan is attached as Appendix B. The preliminary environmental sensitivity maps for the project have been included under Section 12.10 of the final SR as Figures 28, 29 and 30.

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		<p>power lines, indicate type of bridge structures to be used;</p> <ul style="list-style-type: none"> • Location of sensitive environmental features onsite that will be affected by the facility; • Substation and transformer sites • Location of access and service roads • All existing infrastructure onsite, railway lines and roads; • Buffer areas • Buildings • No-go areas <p>An environmental sensitivity map indicating environmental sensitive areas and features. A map combining the final layout map overlain on the environmental sensitivity map.</p>	<p>Please note the environmental sensitivity map is preliminary and needs to be updated and finalised based on the outcomes of the Ecological Impact Assessment (ecologically sensitive features) and updated Geohydrological Impact Assessment (wetlands, drainage lines). The detailed environmental sensitivity map will be provided in the draft EIR.</p>
5.11	<p>05/12/2018 Letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)</p>	<p>The final SR must include a visual assessment to investigate:</p> <ul style="list-style-type: none"> • Conduct a visual sensitivity analysis based on preferred alternative and topographical data available for broader study area; • Identify key visual issues and potential extent of visual impacts • Characterising of the visual environment and identification of areas of potential visual sensitivity (nature reserves) that may be 	<p>EAP, Marissa Botha, NEC:</p> <p>The Visual Impact Assessment will be commissioned during the EIA Phase of the project. The outcomes of the VIA will be included in the draft and final EIR. It is thus not included as part of the final SR. See Section 11.15 of the final SR.</p>

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		subject to visual impacts; <ul style="list-style-type: none"> Visual impact assessment report must clearly provide clear distinction of the categories used for the assessment of the visibility impact intensity of the facility. 	
5.12		The Geohydrological Impact Assessment must clearly indicate how many water crossings will be affected by the development footprint. Clearly indicate this on the sensitivity map.	EAP, Marissa Botha, NEC: Based on the Preliminary Geohydrological Investigation conducted by Naledzi Waterworks (D. Munyai, 2018) no groundwater seepage or surface water was encountered on site. See Section 11.7 and 11.8 of the final SR.
6. DEPARTMENT OF ENVIRONMENTAL AFFAIRS: INTEGRATED ENVIRONMENTAL AUTHORISATIONS_19 FEBRUARY 2019 (CASE OFFICER): COMMENT ON FINAL SCOPING REPORT			
6.1	19/02/2019 SR Acceptance Letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)	All comments and recommendations by all Stakeholders and I&APs in draft and final SR must be taken into consideration when preparing the EIR. All mitigation measures and recommendations in specialist studies must be addressed and included in final EIR and EMPr.	EAP, Marissa Botha, NEC: All comments by I&APs and stakeholders have been recorded in this IRR. The IRR was circulated to specialists to consider the issues by I&APs during the preparation of Specialist Reports. The Specialist studies have informed the environmental attribute description in the EIR (Section 8) and informed the impact and risks identified for the project (Section 10). The findings of the specialist studies and recommended mitigation measures have been included under Section 10.7 and 10.8 of the EIR. The findings of the EIR

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			(informed by specialist studies) have been the point of departure for the preparation of the EMPr to manage impacts during the project's implementation.
6.2		All comments from stakeholders must be submitted to DEA with the final EIR. Proof of correspondence must be included in the EIR. If unable to obtain comments, submit proof of attempts to obtain comments.	<p>EAP, Marissa Botha, NEC:</p> <p>The EIR is circulated for a 30 day public review period to organs of state and I&APs. All comments submitted by these parties on the draft EIR will be recorded in the IRR and copies of the comments will be appended to this IRR and submitted to DEA.</p> <p>Updated response 09/09/2019</p> <p>Refer to Section 9.5 and Volume 1 Appendix 3H of the final EIR for evidence that all relevant and identified competent authorities has been given an opportunity to comment on the draft Scoping Report and Section 9.7 and Volume 1 Appendix 3J of the final EIR for evidence to comment on the draft EIR and EMPr.</p> <p>Refer to Volume 3 Appendix 3L Issues and Response Report_Annexure C for comments submitted on the DSR, Volume 3 Appendix 3L IRR Annexure D for comments submitted on the Final SR and Volume 3 Appendix 3L IRR Annexure E for comments submitted on the Draft EIR.</p>
6.3		Address all issues raised by organs of state and I&APs	See response above.

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		prior to submission of the EIR to DEA. Give registered I&APs access to and an opportunity to comment in writing on the EIR & EMPr within 30 days before submitting the final EIR to DEA.	<p>Updated response 09/09/2019</p> <p>The draft EIR and EMPr was available for public review and comment from 8 July to 6 August 2019.</p> <p>All issues raised and comments received during the statutory review of the draft EIR have been recorded in this IRR Version 4 and addressed in the Final EIR. The relevant sections where such comments have been addressed in the final EIR have been referenced in this IRR per issue raised.</p>
6.4		EIR must provide an assessment of impacts and mitigations for each listed activities applied for. Listed activities listed in the EIR must be the same as in application form. If listed activities no longer become relevant, the application form and EIR must be updated.	<p>EAP, Marissa Botha, NEC:</p> <p>Please refer to Section 10.2 – 10.7 for the assessment of impacts and mitigation measures provided. Additional listed activities have been added to Table 7 under Section 4.5 in the EIR. An updated/amended application form has been submitted to DEA with the draft EIR.</p> <p>Updated response 09/09/2019</p> <p>Please note that Activity 12 of Listing Notice 1 has been added to Table 7 under Section 4.5 of the final EIR. Accordingly an updated application form has been submitted to DEA with the Final EIR.</p>
6.5		Comments from I&APs must not be split and arranged into categories. Comments from each submission must	<p>EAP, Marissa Botha, NEC:</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		be responded to individually.	The IRR has been revised according to this request. Comments have now been listed per submission. See Sections 1-24 of this IRR document.
6.6		<p>It is mentioned that the Resgen Rail Link is currently constructing its 36km rail link next to the existing Lephallale-Thabazimbi railway track. The EIR must show the approved layout of this area against the proposed development.</p> <p>The EIR must identify the main access road and service roads.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>This has been addressed in the EIR under Figure 3 and Figure 4, under Section 4.4.2, Appendix 1E6 and in the Traffic Impact Report attached under Volume 2, Appendix 2I.</p>
6.7		Cumulative impacts recommendations from specialist studies must incorporate the area referred to as Resgen Rail link.	<p>EAP, Marissa Botha, NEC:</p> <p>This has been addressed under Section 8 of the EIR (environmental attributes) specific to ecology, noise, visual, traffic and social aspects of the site. The existing impacts have been provided under Section 10.2.1 and the cumulative impacts under Section 10.6 of the EIR.</p>
6.8		The draft EIR must investigate the possibility of a construction camp that includes accommodation for workers and clearly assess the impacts. Appointed specialists must provide recommendations to the suitability of the area. This must be clearly shown on the site layout.	<p>EAP, Marissa Botha, NEC:</p> <p>Refer to Section 4.13.2 of the EIR. Transnet has confirmed no construction camp will be required; local labour will be employed. There is an existing site office within Transnet servitude which will be used as a laydown area. Construction staff will commute to the</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			construction site on a daily basis.
6.9		A Biodiversity, Noise & Vibration, Visual, Hydrological, Traffic Impact Assessment and Waste Management Plan must be conducted as part of the EIR.	<p>EAP, Marissa Botha, NEC:</p> <p>The requested Specialist Studies are included under Volume 2 of the EIR and have informed Section 8 (environmental attributes) of the project site and also informed the potential risks and recommendation mitigations for the project. Refer to Section 10.8 Table 38 for a summary of specialist findings and recommendations.</p>
6.10		The final EIR must include details of plans for the site and infrastructure after decommissioning in 20-30 years and possibility of upgrading infrastructure to more advanced technologies. The total footprint of the development must be indicated. Exact locations of all associated infrastructure must be mapped at an appropriate scale.	<p>EAP, Marissa Botha, NEC:</p> <p>Decommissioning of the railway yard and tracks are not foreseen in the near future since the yard will service mining companies each which may have a life of mines of over 40 years if not more. General decommissioning impacts expected from the railway yard based on the environmental attributes have been provided. The only potential infrastructure upgrade foreseen for the expanded railway yard may include the electrification of the Thabazimbi - Lephalale railway track by Eskom. The track is not currently electrified therefore diesel locomotives are used and provision has been made in the railway yard design for diesel storage. The diesel storage area may in future become redundant, when the track is electrified yet the stage</p>

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			and timing at which this will take place is unknown.
6.11		The final EIR must include a construction and operational phase EMPr including mitigation and monitoring measures. Should blasting be required, appropriate mitigation measures should be provided.	<p>EAP, Marissa Botha, NEC:</p> <p>The EMPr is included under Volume 4 of the EIR.</p>
6.12		The final EIR must include at least one A3 regional map of the area and locality maps that illustrate the different proposed alignments and above ground storage of fuel.	<p>EAP, Marissa Botha, NEC:</p> <p>Refer to Volume 1 Appendix 1C of the EIR for large format locality maps and Volume 1 Appendix 1E for the large Site Layout Plan.</p>
6.13		If the application for Environmental Authorisation is subject to provisions of Chapter II, Section 38 of the NHRA, 1999, then DEA will not be able to make or issue a decision in terms of your application for EA pending a letter from the heritage authority categorically stating that the application fulfils the requirements of the heritage authority as per the said act.	<p>EAP, Marissa Botha, NEC:</p> <p>SAHRA on 31 January 2019 notified the applicant that the HIA requires amendment and the additional of a Palaeontological Desktop Study. This has been completed and uploaded onto the SAHRIS online system for review and decision making by SAHRA. Also see Volume 2, Appendix 2J of the EIR for the HIA and Palaeontological Study.</p> <p>Updated response 09/09/2019</p> <p>The South African Heritage Resources Agency has provided their final comment on the HIA and desktop Palaeontological Assessment on 17 July 2019 stating that it has no objection to the development going ahead. Refer to Volume 1 Appendix 1A attached to the</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			final EIR for the SAHRA approval letter. Also refer to Sections 2.3 and 5.1.9 of the final EIR which state the above.
7. DEPARTMENT OF ENVIRONMENTAL AFFAIRS: INTEGRATED ENVIRONMENTAL AUTHORISATIONS_7 AUGUST 2019_COMMENT ON DRAFT EIR AND EMPR			
7.1	07/08/2019 Official letter DEA: Integrated Environmental Authorisations_Strategic Infrastructure Projects (Mmamohale Kabasa)	<p>Please ensure that all relevant listed activities are applied for, are specific and it can be linked to the development activity and infrastructure as described in the project description.</p> <p>If the activities applied for in the application form differ from those mentioned in the final EIR, an amended application form must be submitted. Please note that the Departments application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Refer to Section 4.5, Table 7 of the final EIR for the project related listed and specified triggered activities under NEMA.</p> <p>Activity 12 of Listing Notice 1 (GNR 327) has been added to the project triggered listed activities since the draft EIR. The application form has been updated accordingly and submitted with the Final EIR to DEA.</p> <p>Please note that Activity 48 of Listing Notice 1 has been removed since this is a duplication of Activity 23 of Listing Notice 3 already included on the application.</p>
7.2		The Final EIR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Refer to Section 10.3 to 10.6 of the EIR for the assessment of the impacts relevant to the project phases and Section 10.7 for the recommended mitigation measures.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
7.3.		<p>The Department notes that the development is located within the Tierkop nature reserve and the Koedoe Nature Reserves. The Department further notes that the applicant is of the view that the necessary permissions as per sections 46 and 50 of the National Environmental Management Act: Protected Areas Act (NEMPA), (Act 57 of 2003) would be secured before commencement of the proposed development. Please note that in terms of regulation 19(2) of the regulations GNR. 1060(2005) of the NEMPA, the applicant is required to receive approval from the Tierkop and the Koedoe Nature Reserves management authorities for the proposed development before the environmental impact assessment is submitted to the department for consideration. Failure to submit the said approval with the final EIA may negatively prejudice the success of your application.</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p><u>Please note the development is only located in the Koedoe Private Nature Reserve.</u> It is the existing Transnet servitude road that cuts across the Tierkop Nature Reserve. The upgrading of this existing servitude road does not form part of this EIA Process Scope of Works.</p> <p>Transnet has not yet been able to acquire the Section 50(5) approval from the landowners for the yard expansion across the proclaimed area despite several engagements and attempts. The landowners are not willing/able to provide such Section 50(5) approvals and have key pre-requisites, as stated under Section 4.4 of the IRR response, before such approval will be granted.</p> <ul style="list-style-type: none"> • Compensation value for the land to be acquired must be agreed; and • An alternative location for the yard, closer to the Medupi Station, must be considered; <p>Transnet's land acquisition process fall outside the ambit of the EIA process. Relating to compensation: Transnet will, as per the recommendation of the attached Final EIR, compensate the landowners to apply to LEDET for the amendment of the nature reserve boundaries to exclude the railway yard from</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>the proclaimed area and no development will take place until the compensation value has been confirmed.</p> <ul style="list-style-type: none"> • An alternative location closer to the Medupi Station is not possible for the following reasons: • It would make operational efficiency of train shunting extremely problematic and therefore greatly increase the turnaround time of trains from mine/customer to destination; • Rail simulation has identified the preferred site as most suitable to meet commodity volume demands; and • The geometry (gradient etc.) of the preferred site is most favourable <p>The project's encroachment on the Koedoe Private Nature Reserve is not considered to be a fatal flaw since the nature reserve is in fact used for commercial hunting purposes. Section 17 of NEMPAA stipulates the purposes for proclamation of protected areas and these are not fulfilled at the Koedoe Nature Reserve.</p> <p>Despite the lack of Section 50 (5) approval from the landowners Transnet have the legal remedy to expropriate certain rights from the landowner, which includes the acquiring of servitude, amongst other things for public good.</p> <p>The Constitution of the RSA makes provision under Section 25 for expropriation of property in the public</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			interest subject to compensation and thus there is no reason for this project not to proceed. Legal avenues are available subject to Transnet following due process. Please refer to Executive Summary and Section 3.4 of the Final EIR.
7.4		The final EIR must provide evidence that all the relevant and identified competent authorities have been given an opportunity to comment on the proposed development. Should you be unable to obtain comments, proof should be submitted to the department of the attempts that were made to obtain the comments.	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Refer to Section 9.5 and Volume 1 Appendix 3H of the final EIR for evidence that all relevant and identified competent authorities has been given an opportunity to comment on the draft Scoping Report and Section 9.7 and Volume 1 Appendix 3J of the final EIR for evidence to comment on the draft EIR and EMPr.</p> <p>Refer to Volume 3 Appendix 3L Issues and Response Report_Annexure C for comments submitted on the DSR, Volume 3 Appendix 3L IRR Annexure D for comments submitted on the Final SR and Volume 3 Appendix 3L IRR Annexure E for comments submitted on the Draft EIR.</p>
7.5		Please ensure that all issues raised and comments received during the circulation of the draft EIR from registered I&AP and organs of state which have jurisdiction (including this Departments Biodiversity section) in respect of the proposed activity are adequately addressed in the final EIR. Proof of	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>All issues raised and comments received during the statutory review of the draft EIR have been recorded in this IRR Version 4 and addressed in the Final EIR. The relevant sections where such comments have been addressed in the final EIR have been referenced in this</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>correspondence with various stakeholders must be included in the final EIR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p> <p>The public participation process must be conducted in terms of regulation 39, 40,41,42,43 and 44 of the Environmental Impact Assessment (EIA) regulations, 2014, as amended.</p>	<p>IRR per issued raised.</p> <p>Please refer to Section 9 ‘Public Participation Process’ of the Final EIR. The PPP has been conducted the keep to the EIA Regulations of 2014. The PPP followed to date and to be followed post issuance of a decision on the application by DEA is detailed under Section 9, 9.1 to 9.11.</p> <p>Please note that the Transnet Lephalale Railway Yard Expansion project is excluded from complying with regulation 39 of the EIA Regulations 2014 since it’s a linear project and confirmed Strategic Infrastructure Project 1 by the Presidential Infrastructure Coordinating Committee. No landowner consent is required for either the authorisation for the railway yard expansion or borrow pits based on the said exclusion.</p>
7.6		<p>The final EIR must comply with these comments and all other comments and conditions issued by the Department in relation to the previous application (14/12/16/3/3/2/1116).</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>This Issues and Response Report (Volume 3 Appendix 3L) and the Final EIR record and address comments and issues received throughout the entire Transnet Lephalale Railway Yard Expansion EIA Process for both the former application (Scoping Phase) and resubmitted application (EIA Phase). Refer to Section 1 of this IRR document which states this. Also refer to</p>

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			response under Section 7.4 of this IRR.
7.7		A comments and response trail report (C&R) must be submitted with the final EIR. The C&R report must incorporate all historical comments for this development. The C&R report must be a separate document from the main report and the format must be in table format as indicated in Annexure 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as noted is not regarded as an adequate response to I&APs comments.	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>This document is the Issues and Response Report appended under Volume 1 Appendix 3L to the Final EIR. It incorporates all the comments received throughout the project EIA Process. Also see above response under Section 7.6. The IRR is a standalone document to the Final EIR.</p> <p>The IRR has been updated into the desired format, see Volume 3 Appendix 3L attached to the final EIR.</p>
7.8		The EAP must arrange a site inspection and meeting before the submission of the final EIR between the EAP, the landowners of the Tierkop Nature Reserve and the Koedoe Nature Reserves ; this Department and the Provincial Department of Economic development ,Tourism and Environmental affairs: the EIM unit , this Departments Protected areas section and the Biodiversity Management Section.	<p>EAP, Marissa Botha, NEC:</p> <p>A site inspection took place on 17 September 2019 between Naledzi, Transnet, Mr Hills, DEA, and LEDET. Refer to Section 9.3 of the final EIR and Volume 3 Appendix 3D for the Minutes of the Site Inspection including signed Attendance Register.</p>
7.9.		<p>In terms of Appendix 3 of the EIA Regulations of 2014, as amended, the report must include an undertaking under oath or affirmation by the EAP in relation to:</p> <ul style="list-style-type: none"> - the correctness of the information provided in the 	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>The signed EAP Oath is included under Section K of the final EIR. A declaration of independence is included under Volume 1 Appendix 1B along with the</p>

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		<p>reports</p> <ul style="list-style-type: none"> - the inclusion of comments and inputs from stakeholders and I&APs - the inclusion of inputs and recommendations from the specialist reports where relevant - any information provided by the EAP to I&APs and - responses by the EAP to comments and inputs made by I&APs 	EAP CV.
7.10		The final EIR must clearly indicate the water use requirements for all phases of the development and indicate where the water will be sourced from.	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Refer to Section 4.3.5 of the final EIR for the water use requirements for the project and water source.</p> <p>The Lephalale Railway Yard Expansion project will require 30m³/day of water during construction and 40m³/day during operation. Transnet proposes to abstract groundwater through a borehole/s at 11 000m³/annum to supply to yard. The intention is to drill the borehole at the north provisioning facility. This however depends on the yield capacity of the borehole. It may be necessary to drill an additional borehole closer to the South Provisioning Facility as a supplementary borehole. The abstraction volume would then be split between the two boreholes based on the abstraction capacity. A Water Use License will be obtained from DWS for the Section 21a water use</p>

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			for the abstraction of groundwater for use at the yard.
7.11		The affirmation of Oath by the EAP must be witnessed and signed by a commissioner of oath.	EAP, Marissa Botha, NEC: 09/09/2019 Refer to Section K of the Final EIR. The signed EAP Oath is included under Section K of the final EIR and has been witnessed and signed by a commissioner of oath.
7.12		In accordance with appendix 3 of the EIA regulations ,2014 , as amended the details of the: (i) the EAP who prepared the report; and (ii) the expertise of the EAP to carry out scoping and environmental impacts assessment procedures ; must be submitted. The EIR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.	EAP, Marissa Botha, NEC: 09/09/2019 Refer to Section 2.1 and 2.2 of the final EIR for the details of the EAP who prepared the report and expertise. Also refer to Volume 1 Appendix 1B of the EIR for the EAP CV and Declaration of Independence. Refer to Section 4.2, Table 5 and Section 4.5 Table 7 of the EIR for the technical details for the facilities including descriptions and dimensions.
7.13		The final EIAR must provide the final EMPr and final layout plan.	EAP, Marissa Botha, NEC: 09/09/2019 The Final EMPr is attached under Volume 4 of the final EIR. The final layout plan is attached under Volume 1 Appendix 1E of the EIR.
7.14		You are further reminded that the final EIR to be submitted to this Department must comply with all the requirements in terms of the scope of the assessment and content of the EIR in accordance with appendix 3	EAP, Marissa Botha, NEC: 09/09/2019 The content requirements stipulated for the EIR under Appendix 3 of the NEMA EIA Regulations of 2014

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		of the EIA regulations, 2014, as amended.	<p>have been the basis for compiling the EIR and has been addressed in the final EIR under the following sections:</p> <p>Section A – Background, Study Site Location, Details of EAP</p> <p>Section B – Project Description</p> <p>Section C – Policy and Legislative Requirements</p> <p>Section D – Need and Desirability of the Project</p> <p>Section E – Motivation for preferred development footprint within approved site</p> <p>Section F – Description of Environmental Attributes</p> <p>Section G – Public Participation Process</p> <p>Section H – Identified Impacts and Risks on Environmental and Social Attributes</p> <p>Section I – Environmental Impact Statement</p> <p>Section J – Other information required by Competent Authority</p> <p>Section K – EAP Oath</p>
7.15		Further note that in terms of regulations 45 of the EIA ,2014, as amended , this application will lapse if the	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>The application for EA was submitted on 15 July 2019,</p>

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		applicant fails to meet any of the timeframes prescribed in terms of these regulations, unless an extension has been granted in terms of regulation 3(7) of the EIA regulations,2014,as amended	thus the final EIR and EMPr is to be submitted to DEA within 106 days from application submission, which is on or before 28 October 2019. The Final EIR and EMPr have been submitted to DEA end of October 2019 within the regulated timeframe.
7.16		The EAP is requested to contact the Department to make the necessary arrangements to conduct a site visit prior to the final EIR been submitted to the Department for review and Consideration.	Marissa Botha, NEC: 09/09/2019 The site visit took place on 17 September 2019 and the Final EIR was subsequently submitted as per DEA's request. Refer to Volume 3_Appendix 3D of the Final EIR for the DEA Site Inspection Minutes and Attendance Register.
7.17	17/09/2019:DEA Site Inspection DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Mmamohale Kabasa)	The main issue DEA has with the proposed project is that it takes place within a protected area and hence a Section 50 (5) approval letter is required from the protected area management authority in terms of the National Environmental Management Protected Areas Act 57 of 2003.	Marissa Botha , EAP, NEC: This is addressed in the executive summary of the final EIR, Section 3.4, 5.1.8 and 11.6. Also refer to response under Section 4.4 and 7.3 of this IRR.
7.18	17/09/2019:DEA SITE INSPECTION DEA: Integrated Environmental Authorisations Strategic Infrastructure	Theoretically DEA cannot grant the Environmental Authorisation subject to compliance with NEMPAA. DEA does not know whether the MEC will grant the amendment or de-proclamation of the protected area. Fundamentally this is a fatal flaw in this EIA Process.	Marissa Botha, EAP, NEC: The landowners whom are to provide Section 50 (5) approval in terms of NEMPAA have stated that they would not sign any approvals to Transnet until

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	Projects (Muhammed Essop)	The question remains what would happen if the MEC rejects the application to amend the boundaries of the protected area or it's de-proclamation. Further if DEA issues the Environmental Authorisation to Transnet, Transnet may use the authorisation to underpin the application to the MEC.	compensation value for the servitude / losses has been discussed or agreed to. Transnet's land acquisition division has advised Naledzi that it can only engage landowners regarding the compensation and land acquisition once the EIA Process is concluded since it's a separate process to the EIA.
7.19	17/09/2019: DEA Site Inspection DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Muhammed Essop)	<p>The landowner is objecting to the development. Our Section 50(5) was based on the fact that you need the landowner's approval. The landowner would need to submit an application to the MEC and give adequate reasons as to why they need to amend or de-proclaim the nature reserve. The approval process has now become a fatal flow in the project EIA process.</p> <p>In cases where projects take place in protected areas, NEMPAA requires you to acquire the landowner's approval before DEA can grant an environmental authorisation.</p>	<p>Marissa Botha ,EAP , NEC:</p> <p>In the EIA Report it is stated that the boundaries of the protected area should be amended not de – proclaimed.</p> <p>Refer to response under Section 7.18. of this IRR.</p> <p>The project's encroachment on Koedoe Private Nature Reserve is not considered to be a fatal flaw since the proclamation nature reserve is in fact used for commercial hunting purposes. Despite the lack of Section 50 (5) approval from the landowners Transnet have the legal remedy to expropriate certain rights from the landowner, which includes the acquiring of servitude, amongst other things. Legal avenues area available subject to Transnet following due process.</p>

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17.20	17/09/2019:DEA Site Inspection DEA: Integrated Environmental Authorisations Strategic Infrastructure Projects (Muhammed Essop)	<p>We would seek clarity from DEA’s Legal and Compliance Section on the application of Section 50 (5) of NEMPAA.</p> <p>DEA has had project cases that required Section 50 (5) approvals and the activities developed within the proclaimed area needed to be in line with the management plans for those protected areas meaning that the management plans had to be amended to include that new activity and if there were no management plans, one had to be prepared.</p> <p>LEDET requires approvals from the management authority and it’s only from there that DEA can make an informed decision on the application once the NEMPAA issue is resolved.</p> <p>DEA would make a decision if there is an approval from landowner or when the application for amendment has been approved.</p> <p>DEA would advise Naledzi on the protected area issue within the next few days post the site inspection and indicate the way forward for the project.</p>	<p>Marissa Botha, EAP, NEC:</p> <p>On 25 September 2019 DEA confirmed the project requires Section 50 (5) approval letters from the management authorities / landowners.</p> <p>Refer to response under Section 7.19</p>
17.21		The landowner would eventually have to amend the boundaries of the protected area since Transnet aims to	<p>Marissa Botha, EAP, NEC :</p> <p>The representations need to be submitted to Naledzi by</p>

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		<p>acquire the land required for the servitude and would ultimately also then become a landowner.</p> <p>From our experience, landowner approvals are the only thing that DEA normally requires. DEA have never had a de-proclamation issue but we would get guidance and get back to Naledzi.</p> <p>The landowner and his legal team are more than welcome to make representations on the project.</p>	<p>2-4 October 2019 since we need to consider and incorporate these issues in the Final EIR and Issue and Response Report.</p> <p>It is highlighted that the presentations need to relate to environmental and social matters relevant to the project. It is again pointed out that compensation values and land acquisition issues do not form part of the EIA Process. This is handled separately by Transnet's Land Acquisition division.</p>
8. DEPARTMENT OF ENVIRONMENTAL AFFAIRS: BIODIVERSITY AND CONSERVATION DATED 6 AUGUST 2019_ COMMENT ON DRAFT EIR AND EMPR			
8.1	<p>06/08/2019 Letter DEA: Biodiversity and Conservation (Mmatlala Rabothatha)</p>	<p>The Directorate: Biodiversity and Conservation reviewed and evaluated the aforementioned report and its specialist studies. The Directorate supports the development and in order to achieve the overall objective of minimizing loss of biodiversity the following recommendations must be included in the final EIR:</p> <ul style="list-style-type: none"> • All protected fauna and flora species of conservation concern must not be disturbed or removed prior to approval from relevant authorities; • Search and rescue of all protected species and species of biodiversity concern must be 	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Bullet 1 and 2: Please note as per Section 8.10.2.1 'Occurrence of Threatened or other High Conservation Priority Plant Species' and Section 8.10.2.2 'Occurrence of Threatened or other High Conservation Priority Plant Species' of the EIR that threatened, near threatened, declining plant and animal species are absent from site. Mammal and bird species may cross the site namely Leopard, Hyena and White-backed Vulture. But the site does not appear to be a specific breeding site for any such large carnivore and bird species which roams large areas of which the site is</p>

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		<p>conducted before areas are cleared;</p> <ul style="list-style-type: none"> • All sensitive habitats such as wetlands and protected trees must be clearly demarcated with fencing or orange mesh netting. Barricading measures to be utilized must not restrict the movement of fauna in the project area • An Alien Invasive Species Eradication Plan must be developed, in order to reduce the establishment and spread of alien invasive species within the development footprint • Plant species such as <i>Boscia albitrunca</i> (Shepard's Tree) and <i>Sclerocarya birrea</i> (Marula Tree) must not be removed or damaged prior to obtaining permit from relevant National or Provincial Authorities. • Concurrent rehabilitation and alien vegetation control program within all sensitive areas must be implemented; • The Environmental Management Programme (EMPr) to be submitted as part of the final EIR must clearly indicate the plan to minimize the impact on ecological processes and infrastructure functioning biodiversity; and • You are further advised to consider or make reference to any Provincial Biodiversity 	<p>part.</p> <p>Protected species that have been identified onsite include two widespread nationally protected tree species, which are not threatened, namely the <i>Boscia albitrunca</i> (Shepherd's Tree) and <i>Sclerocarya birrea</i> (Marula) including the provincially protected tree, the <i>Spirostachys africana</i> (Tamboti) as per Section 8.10.2.1 of the EIR. It is recommended, under Section 10.7 'Recommendation Mitigation Measures' under subsection 10.7.9 of the EIR that:</p> <ul style="list-style-type: none"> - Permits must be obtained from DAFF for removal of any listed nationally protected tree species found within the footprint area. - Marking of <i>Boscia albitrunca</i> (Shepherd's Tree) and <i>Sclerocarya birrea</i> (Marula Tree) will take place at the site with an application of permits for the removal of these trees. - Marula trees must be planted at appropriate sites at the study area. For <i>Boscia albitrunca</i> cultivation success is too low at present to be practical in which case other indigenous trees should be cultivated at appropriate sites at the study area. - A permit for removal of individuals of the <i>Spirostachys africana</i> (Tamboti) found within the

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		Conservation Plan or guidelines.	<p>project footprint area must be obtained from LEDET as required in terms of LEMA for the remove or disturb of protected plants (trees).</p> <p>- Marking of the Tambotie trees must take place at the site with an application of permits for the removal of these trees.</p> <p>The above mitigation measures have also been included under Section 11.4 in Table 40 of the EIR as the 'Impact management objectives and impact management outcomes for inclusion in the EMPR furthermore also included under Section 11.7 as 'Conditions to be included in the Environmental Authorisation'.</p> <p>Bullet 3: This mitigation measure would not be practical to recommend and implement.</p> <p>The railway yard expansion footprint area will be demarcated and fenced off. The above mentioned protected tree species and two small pan depressions are located within this footprint area. The protected trees will be marked before construction, permits obtained and removed/translocate during construction period probably to adjacent properties based on forthcoming agreements between Transnet and the landowner. The two small pans would be impeded or destructed to make way for the new rail tracks and a</p>

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			<p>Section 21c and 21i water use license will be obtained in terms of the National Water Act for these purposes. The other 5 pans and protected trees would be located outside of the rail yard servitude on adjacent private properties.</p> <p>Bullet 4: This mitigation measures has been included and addressed in the Final EIR under Section 10.7 ‘Recommended Mitigation Measures’ in Table 37 under subsections 10.7.7, 10.7.36 and 10.7.53. It has also been included now under Section 11.4 ‘Impact Management Objectives and Outcomes’ in Table 40 and accordingly also under Section 11.7 as an aspect for inclusion as a condition of the Environmental Authorisation.</p> <p>Bullet 5: Please refer to the EIR document Section 8.10.2 ‘Summary of Habitat Survey under Subsection 8.10.2.1 ‘Occurrence of Threatened or High Conservation Species’ which speaks to ‘Protected Species’ which address the removal of Nationally Protected Tree Species.</p> <p>Section 5.1.2 ‘Key Decision Making Authorities’ in the EIR address the requirement for Protected Tree Permits for removal in terms of Section 15 (1) of the National Forest Act 84 of 1998. These permits will be applied for once the EA is approved by DEA.</p>

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			<p>Marking of <i>Boscia albitrunca</i> (Shepherd’s Tree) and <i>Sclerocarya birrea</i> (Marula Tree) will take place at the site with an application of permits for the removal of these trees. This has been included as a recommended mitigation measure in the EIR under Section 10.7 ‘Recommended Mitigations’ under Subsection 10.7.9 and also under Section 11.4 ‘Impact Management Objectives for inclusion in the Environmental Management Programme.</p> <p>Bullet 6: This mitigation measure has been included in the Final EIR under Section 10.7 ‘Recommended Mitigation Measures’ in Table 37 under subsections 10.7.4, 10.7.12 and 10.7.53. It has also been included under Section 10.4 ‘Impact Management Objectives and Outcomes in Table 40 and accordingly also under Section 11.7.</p> <p>Bullet 7: The result of the winter survey emphasizes the importance of conservation corridors, erosion control and indigenous vegetation for the sake of conservation of indigenous heritage in the larger area. In the EIR under Section 11.4 ‘Impact management objectives and the impact management outcomes for inclusion in the EMPr’ in Table 40 it is thus stated that the following management objectives and outcomes:</p> <p>For Ecology the objective is to maintain Floral and</p>

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			<p>Faunal Biodiversity and conserve as much of the habitat and faunal structure as possible, further conserve conservation important fauna & flora species and maintain habitat connectivity. Furthermore avoid spreading of alien invasive species and encroachment into indigenous vegetation. This will be achieved with the outcomes:</p> <ul style="list-style-type: none"> - Restrict development footprint to limit impact on the Koedoe Nature Reserve. Transnet engage landowner to amend boundaries of KNR in terms of the National Protected Areas Act to avoid further isolation of the nature reserve. - Mark protected tree species identified for removal and obtain permits for the removal of these trees in terms of Section 15 (1) of NFA from DAFF and in terms of LEMA from LEDET. Translocate protected trees where possible. - Efficient rehabilitation implemented along watercourses and rehabilitation and re-establishment of indigenous vegetation on exposed areas including control and eradication of alien invasive species to avoid it spreading into indigenous vegetation. - Alien Invasive Eradication Plan to reduce the establishment and spread of alien plant species within the development footprint and along stream

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			<p>crossings/streams.</p> <p>In terms of the pan depressions and stream crossings the objective is to rehabilitate pan depressions already compromised within the expansion footprint and conserve streambeds. This will be achieved by:</p> <ul style="list-style-type: none"> - Relocating Pans 1 & 2 and reinstate its 32m buffer zones resulting in the rehabilitation of the pans; - Restrict developments to the extension of culverts, bridge structures at roads next to the railway reserve and limiting erosion. <p>The above objectives have also been included in the Final EMPr.</p> <p>Bullet 8: The Limpopo Conservation Plan 2013 and Waterberg Bioregional Plan of 2019 have been referred to and addressed in the Final EIR under several sections.</p> <p>Please refer to Section 5 of the EIR for Policy and Legislative Requirements for the project. The Provincial Legislation and management plans have been addressed under subsection 5.3 of the report as follows:</p> <ul style="list-style-type: none"> - Section 5.3.1 Limpopo Environmental Management

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			<p>Act No 7 of 2003 (LEMA)</p> <p>- Section 5.3.2 Limpopo Conservation Plan 2013</p> <p>- Section 5.3.3 Waterberg Bioregional Plan 2019</p> <p>Also refer to Section 8 ‘Description of Environmental Attributes then to subsection 8.10, 8.10.2.3 ‘Important Biodiversity Areas onsite’ which makes further reference to the Provision and District Conservation/Bioregional Plans and the location of railway yard expansion in relation to identified important biodiversity areas (CBA’s). These have also been mapped and included on the Composite Map appended to the EIR under Volume 1_Appendix 1F.</p> <p>Please note that an electronic copy of the Final EIR and EMPr will be made available to DEA Directorate Biodiversity and Conservation which reflects the above inclusion of mitigation measures.</p>
9. DEPARTMENT OF WATER AND SANITATION_30 NOVEMBER 2018: COMMENTS ON DRAFT SCOPING REPORT			
9.1	<p>30/11/2018</p> <p>Letter</p> <p>DWS: Institutional Establishment, Director (L. Hlekane)</p>	<p>On page 19 item 4.2 of the Scoping Report water uses that may be triggered include Section 21 c, i, e, f and g. Therefore all the water uses identified must be applied for before implementation of the project.</p> <p>DWS has no objection on the proposed development provided that all mitigation measures are applied to</p>	<p>EAP, Marissa Botha, NEC:</p> <p>The project triggers Section 21 (c), (i) and (g) water uses under the National Water Act (Act 36 of 1998) (NWA) and requires a water use license from Department of Water and Sanitation (DWS). The</p>

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		prevent environmental impacts and necessary authorisations are acquired such as water use authorisations and environmental authorisations.	<p>railway yard will discharge wastewater into a submerged Bio-Mite sewage treatment system which collects; treat (to national standards required by DWS) and discharges treated content into a soak away system. A similar smaller system will be installed at the Guard House. The yard expansion will also cross three drainage lines with the new rail tracks and access roads. NEC will submit the water use license application to DWS: Polokwane Regional Office during May 2019.</p> <p>Updated response: 15/10/2019</p> <p>The proposed Section 21 water uses which require licensing are detailed in the Final EIR under Section 4.6.1. Please note that Transnet will also apply for a Section 21 a water use to abstract groundwater through a borehole/s to supply the yard expansion water requirements. Transnet will require 30m³/day for the construction phase and 40m³/day during the operational phase. The abstraction volume would be approximately 11 000m³/annum. The groundwater will be pumped into and stored in the proposed 260m³ steel reservoir and reticulated to the yard infrastructure.</p> <p>The water use license application submission is imminent and will include application for:</p> <p>Section 21(a) Abstracting groundwater through</p>

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			<p>borehole/s</p> <p>Section 21 (b) Storing of groundwater in reservoir</p> <p>Section 21 (c), (i) Crossing of drainage lines and pans with railway tracks and development within 500m of pan depressions. In some instances development within 32m of a watercourse.</p> <p>Section 21 (g) Disposing wastewater into three Bio-Mite sewage treatment systems and subsequent disposal into soak away systems</p> <p>Section 21 (g) Disposal and collection of coal contaminated stormwater in an Earth Channel (for forced evaporation)</p>
9.2	<p>24/07/2019</p> <p>EIR Draft Public Participation Meeting at Komunati Lodge (L. Hlekane)</p>	<p>Will Transnet source water from the municipality for both the construction and operational periods?</p> <p>Will they not use any groundwater?</p> <p>And what are the alternatives should the municipality not have the capacity to supply the required water demand?</p>	<p>Janil Bowen, Transnet, Project Engineer 24/07/2019</p> <p>Yes, the intention to source water for both construction and operation from Lephalale Local Municipality.</p> <p>The current EIA Study does not include groundwater abstraction only municipal water supply.</p> <p>Marissa Botha, Naledzi, EAP, 24/07/2019</p> <p>In terms of alternative water supply sources; we had a discussion with Mr Hills on 4 July 2019 regarding the railway yard expansion and he proposed the use of</p>

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			<p>borehole water as a supply for the railway yard. There is groundwater available from the farm Geelhoutkloof, subject to further discussions, however at this stage Transnet is proposing to use municipal water for both construction and operations. This has also been stated in the EIR and EMPr documents.</p> <p>Updated response: 09/09/2019</p> <p>Refer to Section 4.3.5 of the final EIR and also to the response given under Section 9.1 of this IRR. Transnet has reconsidered the water source. Water will abstract groundwater through boreholes to supply the yard. Transnet will apply to DWS for a Section 21 (a) water use license in this regard.</p>
10. DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES_ 24 JUNE 2019: COMMENT ON DRAFT EIR			
10.1	<p>24/06/2019</p> <p>Deputy Director: Mudau Forestry Regulation Support</p>	<p>In terms of section 15(1), no person may- :</p> <p>(a) Cut ,disturb ,damage ,destroy or remove any protected tree; or</p> <p>(b) Collect , remove , transport ,export ,purchase ,sell ,donate or in any other manner acquire or dispose of any protected tree, except under a license granted by the minister.</p> <p>Thus, if the project is going to affect a natural forest or protected trees, it is a requirement that you apply for a license. A specific application form listing all the</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>Two widespread Nationally Protected Tree species <i>Boscia albitrunca</i> (Shepherd’s Tree) and <i>Sclerocarya birrea</i> (Marula) are present onsite. Marula can be translocated at appropriate sites at the study area but not Shepard’s Tree since the success rate is too low. Please refer to the EIR document Section 8.10.2 ‘Summary of Habitat Survey under Subsection 8.10.2.1 ‘Occurrence of Threatened or High Conservation Species’ which speaks to ‘Protected Species’ which</p>

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		protected trees that are going to be directly affected by the project should be indicated.	<p>address the removal of Nationally Protected Tree Species.</p> <p>Section 5.1.2 ‘Key Decision Making Authorities’ in the EIR address the requirement for Protected Tree Permits for removal in terms of Section 15 (1) of the National Forest Act 84 of 1998. These permits will be applied for once the EA is approved by DEA.</p> <p>Marking of Boscia albitrunca (Shepherd’s Tree) and Sclerocarya birrea (Marula Tree) will take place at the site with an application of permits for the removal of these trees. This has been included as a recommended mitigation measure in the EIR under Section 10.7 ‘Recommended Mitigations’ under Subsection 10.7.9 and also under Section 11.4 ‘Impact Management Objectives for inclusion in the Environmental Management Programme of the EIR.</p>
11. SOUTH AFRICAN HERITAGE RESOURCES AGENCY_31 JANUARY 2019: COMMENT ON DRAFT SCOPING REPORT AND HIA			
11.1	<p>Case Officer Nokukhanya Khumalo Official comment 31/01/2019</p>	The Heritage Specialist undertook a field assessment of the proposed development and did not identify any heritage resources within the proposed development area. The author recommends no further mitigation measures.	<p>EAP, Marissa Botha, NEC:</p> <p>Correct.</p>
11.2		SAHRA cannot provide comments because the HIA report submitted to the case does not comply with the	<p>EAP, Marissa Botha, NEC:</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>2007 SAHRA Minimum Standards for the archaeological component of a HIA Report and it does not contain a tracklog. Furthermore, a desktop palaeontological assessment was not undertaken even though the development area is in a moderately palaeontological sensitive zone as seen on the SAHRIS palaeo-map. Although the commenting period has ended, heritage has not been fully assessed as per section 38(3) of the NHRA and the developer must ensure that it is before development goes ahead. Therefore, SAHRA requires the HIA be amended to adhere to the SAHRA 2007 Minimum Standards and the HIA must be submitted to the case once it has been amended. Also, a desktop Palaeontological Assessment must be undertaken by a suitably qualified palaeontologist and the report submitted to SAHRA.</p>	<p>The updated Heritage Impact Report and Desktop Palaeontological Study have been prepared and are attached to the EIR under Volume 2, Appendix 2J. The reports have also been submitted to SAHRA on 15 May 2019.</p> <p>Updated response: 09/09/2019</p> <p>SAHRA issued its final comment on 17 July 2019 stating that it has no objection to the development going ahead. Refer to Volume 1 Appendix 1A of the final EIR for the SAHRA approval letter.</p>
11.3	<p>18/07/2019 Nokukhanya Khumalo Heritage Officer South African Heritage Resources Agency</p>	<p>South African Heritage Resources Agency (SAHRA) Archaeology, Palaeontology and Meteorites (APM) Unit accepts the amended HIA and the PIA reports submitted to the case for commenting and has no objection to the development going ahead.</p> <p>The Chance Finds Fossil Procedure as detailed in the PIA must be included in the EMPr along with the following:</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019</p> <p>SAHRA's comments have been recorded in the Final EIR under Section 2.3 'Independent Specialist Studies', Section 5.1.9 'National Heritage Resources Act' and appended as Volume 1 Appendix 1A to the EIR.</p> <p>The recommended mitigation measures have been included in the Final EIR in Section 10.7 'Recommended Mitigations' under subsection 10.7.18</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<ul style="list-style-type: none"> ▪ In the unlikely event that fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected. ▪ If there are any new heritages resources are discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer. ▪ If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 	<p>‘Heritage, Cultural and Paleontological’. The management measures have also been under Section 11.4 ‘Impact Management Objectives’ Table 40.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>8654).</p> <ul style="list-style-type: none"> ▪ Any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251) 	
11.4	<p>18/07/2019 Nokukhanya Khumalo Heritage Officer South African Heritage Resources Agency</p>	<p>The Final EIAR and its appendices must be submitted to the case when it is available. Once a Record of Decision from the competent authority is issued, it must also be submitted to the case.</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019: The Final EIR Study has been uploaded onto SAHRIS to the case. Once the Environmental Authorisation is issued by DEA it will be communicated to I&APs and uploaded onto the case.</p>
<p>12. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT_11 FEBRUARY 2019: COMMENT ON FINAL SCOPING REPORT</p>			
12.1	<p>11/02/2019 Comment Sheet Johanna Mphela Matlou Department of Agriculture: Waterberg District, Lephalale</p>	<p>Railway lines are managed by Transnet. Transnet is considered as a statutory body; as such Act 70/1970 is not applicable. However it is advised that the line refrain from affecting high potential agricultural land and therefore there should be a servitude agreement for those farms that will be affected.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>The project site does not correspond to high potential agricultural land. The vegetation types present on site is suitable for game farming practices. Its land capability could be considered as grazing. Transnet will acquire approximately 22 hectares of land from Mr. Hills to expand the railway servitude. See Section 3.2 of the EIR.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
13. DEPARTMENT OF ENVIRONMENTAL AFFAIRS: TRANS-FRONTIER CONSERVATION AREAS AND PROTECTED AREAS PLANNING_30 NOVEMBER 2018: COMMENT ON DRAFT SCOPING REPORT			
13.1	30/11/2018 Email DEA: Trans-Frontier Conservation Areas and Protected Areas Planning (Thivhulawi Nethononda)	Thank you for submitting the EIA document to Mr Karl Naude. You must request comments from provincial Department of Environmental Affairs for technical comments, as they are mandated to oversee private nature reserves. The affected protected area is under the jurisdiction of the provincial department. We are only required to look at national protected areas.	<p>EAP, Marissa Botha, NEC: The draft Scoping Report was submitted to LEDET: Protected Areas for technical comments which were provided to NEC on 20/11/2018. LEDET requires that the landowner request for either deproclamation or amendment of the private nature reserve boundaries. This has been recorded in the Scoping Report. See Section 10.1.8 and 11.11 including, Appendix D9 for the FGM Notes with Mr Hendri Hills and LEDET's comments included under Appendix D10_Annexure C.</p> <p>Updated response 15/10/2019 The EIR was submitted to LEDET Protected Areas for a 30 day public review and comment period from 8 July to 6 August 2019. LEDET Protected Areas was also invited to attend the DEA Site Inspection on 17 September 2019, however could not attend.</p>
14. COMMENTS FROM HENDRIE HILLS: DIRECTLY AFFECTED LANDOWNER GEELHOUTKLOOF 359LQ AND 745LQ (717LQ)			
14.1	19/07/2018 Telephonic Landowner Portion 1 & remainder Geelhoutkloof 359LQ (Hendri Hills)	We conduct hunting activities on the farm Geelhoutkloof, next to the existing rail corridor. Transnet wants to build the new railway yard on the farm Geelhoutkloof. Transnet will need to consider building a boundary wall between the new railway yard and Geelhoutkloof to address the safety issue of human activity at the yard in such close proximity to the hunting farm.	<p>Applicant_Transnet, Sindiswe Ngubane, October 2018: Transnet can either build a concrete palisade fence or pre-cast wall for a boundary wall.</p> <p>Applicant_Transnet, Dylan Jacobs (Senior</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
		<p>Currently activities at the existing railway line are limited to trains passing by. The new railway yard will include administration buildings and movement of people/employees.</p>	<p>Engineer) 6 December 2018:</p> <p>Transnet will consider constructing an earth berm/wall. The project will have enough excess spoil material for a 2-meter-high wall with 1:1 slopes for 5km on either side of the railway line/yard. See Appendix B to the Scoping Report for a design plan proposal.</p> <p>Updated response 20 February 2019_ Naledzi and Transnet to Mr Hills:</p> <p>Transnet, Naledzi and the Visual Specialist conducted a field investigation on 12 February 2019 to the project site. The intent of the investigation was to evaluate the feasibility of constructing the earth berm at the height above 4m along the railway track and yard.</p> <p>Based on the site visit it has been confirmed that an extensive part of the railway yard will be located in cuttings with the North Facility located on a fill area. The Visual Specialist confirmed that the yard will have limited visual impact on surrounding properties. Therefore, not only will the earth berm not suffice, it will not be practical for Transnet to construct.</p> <p>The elevation of the railway track and yard varies and so too the heights of several of the yard infrastructure and train wagons. The train wagons are 3.6m high, meaning that Transnet would need to build the earth</p>

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			<p>berm greater than the wagon height or as indicated the highest building which is not feasible. At these heights Transnet will not be able to achieve the required slope for the earth berms and it will require extensive additional land to build with a significant construction cost. The earth berms will also result in a greater impact on the ecology.</p> <p>Alternatively, it was proposed that reasonable safety measures are implemented on the farms Geelhoutkloof 359LQ and 745LQ, instead of within the Transnet servitude.</p> <p>According to the ‘Law of Servitudes’ the rights of the holder of the servitude may not be interfered with, we hence suggest that safety management measures are in place on aforementioned farms to manage the risk. There should be reasonable awareness of the safety risk of hunting in proximity of the Transnet servitude and reasonable care should be taken when hunting in close proximity to the railway yard operations. The total terms of agreement on the management measures will still be subject to further terms agreed to between Mr. Hills as the landowner and Transnet.</p> <p>It has been highlighted, in the EIR and IRR, that Transnet has made the decision to exclude the earth berms.</p>

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			<p>Updated response by Social Specialist, Dr Ilse Aucamp, Equispectives, as per Social Impact Report_ March 2019:</p> <p>The impact has been assessed. There will be a moderate risk for safety impacts during construction and operation of the railway yard with the presence of workers close to hunting activities.</p> <p>As per Section 10.7.24 of the EIR a barrier must be constructed between the railway yard and the affected properties. The dimensions and nature of the barrier should be determined by the engineering team and relevant specialist, with input from the landowner. The ability of the structure to absorb impacts from bullets must be considered. This is an also a safety impact management outcome included under Section 11.4 of the EIR and has also been added under Section 11.7 of the EIR as an aspect for inclusion as a condition of the Environmental Authorisation. This aspect is also addressed in the Social Impact Report appended under Volume 2, Appendix 2K.</p>
14.2	26/11/2018 Focus Group Meeting Landowner Portion 1 & remainder Geelhoutkloof 359LQ	Transnet must redesign the railway yard and shift it to an alternative location at Medupi power station where the ambient conditions are more suited for industrial activities. Transnet must first show they have considered the alternative yard location at Medupi and	<p>Applicant_Transnet, 20 February 2019:</p> <p>The Lephalale Railway Yard is an existing 100 wagon yard along the existing Lephalale –Thabazimbi railway track in the Waterberg District, which just requires extension for it to accommodate 200 train wagons in</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
	(Hendri Hills)	indicate if it's not feasible. I am convinced it will be more financially viable then to develop the yard at the Geelhoutkloof based on all the required mitigations to address the potential impacts on my land.	<p>future for the increase in load and capacity. Transnet has indicated it will not pursue location alternatives due to the following factors:</p> <ul style="list-style-type: none"> ○ the location of the existing 100 wagon yard, ○ the gradient south of the existing track (level terrain required), ○ simulated train turnaround times and trip times, ○ points of congestion along the Waterberg system; and ○ Position of prospective client Resgen Boikarabelo Coal Mine's 36km rail link turn off along the existing railway track. <p>The mentioned site at Medupi also does not provide Transnet the flexibility for expansion of the yard in future, if or and when the need may arise based on demand.</p> <p>Preliminary to the EIA Process Transnet considered alternative positions for the railway yard yet when moving the yard site to alternative positions, the simulated turnaround times and trip time for trains resulted in loss of trip times, train slots, revenue and suitable turnaround times were not reached. Secondly the gradient towards Thabazimbi is too steep which will be difficult and inconvenient for the trains to</p>

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			<p>operate. More importantly when the rail yard expansion location is shifted Transnet will miss the Resgen Boikarabelo rail link turn off.</p> <p>The location being pursued in the EIA Process is hence the preferred and Transnet will not be considering other sites.</p>
14.3		<p>The farm Buffelsjagt 317LQ, Vergulde Helm, Enkeldraai 314LQ and Geelhoutkloof 359LQ and 745LQ are operated as a unit of hunting farms. Security will be a major issue for me. The railway yard cannot only provide access control from the start of the yard premises. There must be access control with a boom gate and camera already starting at the Afguns road turnoff to avoid strikes and uncontrolled access of employees/job seekers to my land. The entire road from the Afguns road turnoff must be tarred.</p>	<p>Applicant_Transnet, 20 February 2019: The above security requests are not feasible for Transnet to implement. However, the railway yard will be access controlled with security at the point of entry and exit.</p> <p>Transnet has further stated that it will upgrade the servitude road to accommodate deliveries from heavy vehicles. Also, during the operation of the railway yard it will provide transportation vans to collect and drop employees at the yard, thus each employee will not necessarily travel to site in their private vehicles.</p> <p>With regards to the request to tar the entire Afguns road, Transnet will implement dust suppression measures along its servitude road leading to the railway yard as to minimise the dust impact on vegetation along the bordering hunting farms.</p> <p>Updated response 14 May 2019_Traffic Engineer, Cobus Havenga, as per Traffic Impact Report March 2019: The request for access control at Afguns road was</p>

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			<p>considered during the Traffic Impact Assessment and it is noted that the existing service road is also used by the surrounding farms and access will therefore not only be limited to Transnet employees. The TIA has considered two alternative alignments for the access road:</p> <ol style="list-style-type: none"> 1. Existing gravel road alignment, with lane widening around curves with access control point 150m from D 2649; 2. Re-alignment of first part of access road to remove sharp curves and lane widening around curves. If required an access control point can be located at 100m from Road D2649. From a geometric point of view this option is preferred. From a geometric point of view this option is preferred. <p>The existing gravel road alignment will be upgraded with lane widening (up to 4.5m) around curves with access control 150m from the D2649. See Appendix 1E6 of the EIR for Conceptual Intersection Layout D2649 and Access Road. The Traffic Impact report is included under Volume 2, Appendix 2I of the EIR.</p> <p>The access control point from Afguns Road has also been included under Section 8.14.6 as part of the required road upgrade and included as a recommended mitigation measure under Section 10.7.17 of the EIR.</p> <p>Updated response: 09/09/2019 Please note that the widening and upgrade of the existing Transnet servitude road is discussed in the EIR document and EMPr under Sections 4.4.2, 11.7 and 12.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>However its upgrade does not form part of the Lephalale Railway Yard Expansion EIA Process Scope of Works.</p> <p>It is recommended in the Final EIR under Section 11.7 that the project is approved subject to Transnet upgrading the servitude road leading to the railway yard expansion footprint. The servitude road must first be upgraded followed by the construction of the railway yard expansion to cater for the additional traffic.</p> <p>It is further stated under Section 12 of the final EIR that Transnet must obtain Environmental Authorisation from DEA through a Basic Assessment Process before the road upgrade can be commissioned.</p>
14.4		<p>3) A precast wall along the yard is not practical; the ammunition will penetrate the wall easily. Transnet must come up with another alternative.</p> <p>4)A statement was made during our last telephonic discussion that a 2 meter high earth berm along the boundaries of the railway yard will not suffice. The earth berm must be the height of the tallest building.</p>	See response under Section 14.1 above.
14.5		Transnet must first discuss and secure the purchase price for the servitude before any considerations will be given to amend the Koedoe Nature Reserve boundary. I strongly feel the yard should be shifted to Medupi.	<p>EAP, Marissa Botha, NEC:</p> <p>It has been confirmed that Transnet will engage with regards to the purchase of land. Refer to Section 3.2 of the Final EIR. With regards to an alternative location for the railway yard, please refer to the response above offered under Section 14.2 of this IRR document</p>

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14.6	04/07/2019 Meeting with Mr Hendrie Hills , Transnet and Naledzi Environmental Consultants	The Non – stop industrial activities close to his farm have a major impact on his livelihood and they have also had a negative impact on his farming and gaming activities.	<p>EIA Project manager , Obakeng , Transnet: It was explained that the impacts and consequences of the project were investigated during the EIA Phase and mitigation measures are proposed in the Environmental Management Programme to manage these impacts to acceptable levels.</p> <p>EAP , Marisaa Botha , NEC: The most significant impacts that would arise from this project would be the noise impacts due to shunting, hooting etc. The noise specialists report has outlined various mitigation measures that would minimize the noise levels.</p> <p>Updated response: 09/09/2019 Refer to Section 10.7 of the EIR for the recommended mitigation measures and Section 10.8 for the recommendations by the Noise Specialist.</p> <p>Also please refer to response offered below for Section 14.11 of this IRR document.</p>
14.7		There are possibilities that this project would bring crime or poaching into my farms. There are large amounts of water within the farm and boreholes thus; Transnet should look at the possibility of purchasing the entire farm.	<p>Principal Project Manager, Mlungisi Daniel : Transnet Transnet policies clearly state that they would only purchase land they intend to use, thus it's impossible for them purchase the whole farm.</p> <p>Design Engineer , Janil Bowan : Transnet Water would be sourced from the municipal supply and during the operational phase Transnet would build a steel reservoir in the yard which would be filled with municipal water trucked to site.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
			<p>Updated response 09/09/2019 Refer to response offered below to Section 14.11 of this IRR document with regards to safety risk. It has further been addressed under Section 8.16 (subsection 8.16.1.1.5) of the final EIR and Sections 10.7 (subsection 10.7.24) and 10.8 (Table 38).</p> <p>Also refer to Section 4.3.5 of the final EIR. Transnet has decided to source its water supply for the yard from groundwater through a borehole/s and will apply for a water use license in this regard. The borehole/s will be established in the yard footprint area.</p>
14.8		<p>I strongly suggest that you purchase the entire Farm since there are boreholes that run as deep as 100m with good quality water, because Transporting water from the Municipality would be a costly process and could also have negative impacts on the road system</p>	<p>Mlungisi Daniel, Principal Project Engineer, Transnet Transnet Property would need to conduct a valuation of the property to determine the compensation on offer for the servitude required.</p> <p>EAP, Marissa Botha, NEC - Updated response 09/09/2019 Refer to Section 4.3.5 of the final EIR. Transnet has decided to source its water supply for the yard from groundwater through a borehole/s and will apply for a water use license in this regard.</p>
14.9		<p>A site inspection was undertaken through the farm Geelhoutkloof 359LQ and 717LQ and various housing units were observed for tourists , several high value species , non-perennial streams ,old</p>	<p>Mlungisi Daniel, Principal Project Engineer, Transnet Transnet would send its Property Evaluator team to the farm for assessment to determine the value of the servitude. Transnet has a policy whereby it clearly states that it only purchases the portion of land</p>

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		bullet holes , boreholes etc.	intended for use.
14.10	30/07/2019 Objection Letter from Burger and Partners Attorneys on behalf of Mr Hendrie Hills	<p>Our Client and entities in which he holds interests , are the registered land owners of the properties as referred to above and also of the adjacent properties known as : Vergulde Helm 321 LQ and Portion 2 and R/E of portion 1 Zandnek358 LQ.</p> <p>Take note that the information as contained in Table 3: <i>Affected land parcels and ownership details</i> on page 25 of the draft EIR is partly incorrect. The Remaining extent of portion 1 of the farm Geelhoutskloof 359, L.Q is registered in the name Hennie Hills Boerdery CC (Pty) Ltd. The name change has not been registered with the Deeds office as on date hereof. Geelhoutskloof 717 , L.Q. is registered in the name of Geelhoutskloof Trust and not in the name of Hennie Hills Boerdery CC. Due to an error in the deeds office the current registered landowner is indicated as the Enkeldraai trust but this is being rectified. The farm Buffelsjagt 744, L.Q. is registered in the name of Hennie Hills familie trust and not Hendrie Hills familie trust.</p> <p>We attach here to figure 3: <i>Plan 1.2. Regional locality plan with farm descriptions</i> that is included on page 27 of your Draft Environmental Impact Report , dated</p>	<p>EAP, Marissa Botha, NEC: 11/09/2019</p> <p>Thank you for the property ownership detail correction. We have revised these details in the Final Environmental Impact Report (EIR) under Section 3.3. The final EIR and EMPR will be submitted to the Department of Environmental Affairs for decision making and we will place the final EIR and EMPr on the Naledzi website for review by stakeholders.</p> <p>The land use activities and Private Nature Reserve details have been detailed in the EIR under Section 3.4 and Section 8.3.</p> <p>DEA confirmed on 25 September 2019 that Transnet requires approval in terms of Section 50 (5) of the National Environmental Management Protected Areas Act 57 of 2003 from the landowners of the protected area, in this case Mr Hills and Mr Sauer, to develop the railway yard expansion. The boundaries of the nature reserve would also need to be amended to exclude the railway yard servitude from the proclaimed protected area. The landowners have not provided such approval. Transnet will negotiate with the landowners of the protected</p>

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		<p>May 2019.Our client holds interest ,as aforesaid, in the block properties indicated within the red line on figure 3.</p> <p>All of the indicated properties have been developed by our client as a unit and his commercial activities on the properties are not restricted or divided by the boundaries thereof.</p> <p>It is also evident from figure 3 that the proposed railway yard expansion is situated roughly in the middle of the properties and that the envisaged access road, being the existing Transnet servitude Road cuts through his properties.</p> <p>The properties have been extensively developed with lodges, houses, game breeding camps, passive game catching pens, irrigation systems, hunting facilities and boundary fences. In addition, the farm Geelhoutskloof is registered as a private nature reserve.</p>	<p>area as part of its land acquisition process to amend the nature reserve boundaries. Application for amendment of the PA boundary is required to the Limpopo Department of Economic Development, Environment and Tourism (LEDET). Transnet will assist the landowners with the application process.</p>
14.11	<p>30/07/2019 Objection Letter from Burger and Partners Attorneys on behalf of Mr Hendrie Hills</p>	<p>It is clear from the content of the Draft EIR that our client, on whose property the proposed expansion is planned, is the most affected. It is also evident that the negative impact is not only limited to the area of expansion (Approximately 22 hectares) but to the greater area of the properties to which our client holds</p>	<p>EAP, Marissa Botha, NEC: 09/09/2019 All the risks related to the potential negative impacts listed in Section 2 of the objection letter have been considered, rated and addressed in the Environmental Impact Report (EIR) and Environmental Management Programme (EMPR) for the project. Management measures are proposed in the EMPr to alleviate and address the negative impacts that would be felt by Mr</p>

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		<p>interest.</p> <p>See for example the content of the following paragraphs of the Draft EIR:</p> <ul style="list-style-type: none"> - Paragraph 3.2 – Page 24 - Paragraph 3.4 – Page 25 - Paragraph 4.4.6 – Page 36 - Paragraph 4.4.8 – Page 37 - Paragraph 4.10 and 4.11 – Page 43 - Paragraph 4.13.3 – Page 45 - Paragraph 5.1.1 – Page 46 - Paragraph 6.3 – Page 61 - Paragraph 6.4 Table 13 1.1.5 - Pages 64 and 64 - Paragraph 10.7 Table 35 10.7.12 – Page 170 - Paragraph 10.7 Table 35 10.7.25 – Page 177 - Paragraph 10.8 Table 36 Social Impact Assessment – Page 193 - Section 1 : Paragraph 11.1 – Page 199 - Paragraph 11.6 – page 205 <p>The following Factors (Not an Exhaustive list) will have a negative impact on our client’s properties , the current and future value thereof ,his current and future income , the aesthetic value thereof , the value as seen from a hunting and ecotourism perspective and his private use thereof :</p>	<p>Hills on his land.</p> <p>Fundamentally the sense and spirit of place will be altered permanently at the farms due to the increased noise levels from the yard, which would have a knock on effect on the hunting activities and tourism potential of farm Geelhoutkloof. Mr Hills will lose a small portion of his farm available for hunting due to the safety risk of hunting in proximity of people permanently present at the yard and as a result no hunting would then be undertaken in vicinity of the yard. In a nutshell the expansion of the railway yard will have a negative economic impact on the livelihood activities of the farm. It must however be highlighted that the visual impact from the project (railway yard expansion) will be very limited and disturbance would be close to the railway line, 100m or less since the dense vegetation and high trees will screen the activities.</p> <p>The project specific management measures to control, remedy and manage the identified risks of the projects to acceptable levels are consolidated in the project EMPr and Transnet is legally bound by these recommends.</p> <p><u>Recap of Noise Impact Assessment findings</u> The Noise Control Regulations allows for an increase in noise intrusion levels of 7dBA above the ambient levels. Ambient levels for the study site being 32.7dBA (daytime) and 27.8dBA (nighttime). Based on the Noise Impact Assessment the operational activities</p>

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		<ul style="list-style-type: none"> - Negative noise Impact; - Diminishing in value of the remainder of the properties affected; - Restriction in the commercial use of the adjacent land – in respect of the proposed yard expansion and access road; - Loss of income; - Negative visual impact – day and night time; - Risks of injury or death resulting from hunting activities on the properties; - Increased security risk as a result of influx of vehicles and visitors to the area; - Air pollution; - Risk of groundwater pollution; and - Diminished value of the land intended to be used for the borrow areas of fill material – Buffelsjagt. 	<p>at the yard would in general not exceed the noise intrusion limit value except at the premises of the Geelhoutkloof Farm Manager’s (M) residence with an increase to 40.4dBA (daytime) and 40.2dBA (nighttime). The resulting noise intrusion will be 11.2dBA (day) and 15.9 dBA (night) (Table 1) above the ambient on an intermittent basis. Only when the train hooter is activated the noise limit value would be exceeded at Geelhoutkloof’s farm manager’s residence (M), Geelhoutkloof House/Lodge (L) and Nooitgedacht farm residence (K).</p> <p>The potential noise increase from project will be controlled through approved acoustic screening measures namely conducting noise surveys during the operational phase whereby noise sources will be identified and acoustically screened off. Shunting must be preferably be done during daytime, where practical and all point source noise will be identified and acoustically screened off. Transnet will implement a noise management plan during the construction and operational phases so as to identify any noise increase on a pro-active basis. The railway yard expansion will comply with the relevant Noise Control Regulations and SANS 10103 of 2008 with the noise mitigatory measures in place and adherence thereto.</p> <p><u>Visual impact (day and night time)</u> There may be an impact from lights used at night at the railway yard (background glow). Transnet will install low pylons and lights will be facing down to lower the potential light pollution towards the surrounding farms.</p>

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			<p>Lights will also be managed (only used in areas where physical activities are on-going, the rest must be switched off). The impact from the lights at the yard would therefore be low.</p> <p><u>Impact on livelihood</u></p> <p>The extent of this economic impact is difficult to determine and the direct financial impacts due to loss of revenue from hunting and tourism would need to be determined through a claims procedure that shows the actual losses. Actual numbers of hunters and tourists that visit the properties and the associated income from these streams must be known for at least a three-year period before the development commences. This can be compared to numbers after the project started. The information must be documented and audited. Hence Transnet must enter into negotiations with the affected farm owner/s and it may take some time for the parties to agree on the most appropriate mitigation, therefore the mitigation suggested in the EIR, EMP_r and Social Impact Assessment aim to guide this process. The recommendations include:</p> <ul style="list-style-type: none"> ▪ The holding pen close to the railway yard must be relocated. Given the specialist nature of constructing such a holding pen, the land owner must provide the technical design and standard of material; ▪ The borehole in the yard footprint area will become redundant. A new borehole must be drilled inside the landowner's property (for Transnet's cost).

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			<ul style="list-style-type: none"> ▪ The landowner must be given access to the other parts of his farm across the servitude. If it is not possible to do so when the railway yard is constructed, an alternative crossing in close proximity should be provided, including access roads and gates. In order to assess the impact on the revenue of the hunting and tourism activities conducted on the affected properties, the landowners should provide Transnet with copies of the revenue for three consecutive years. This should be compared with the revenue from these activities during the construction and operation period of the project. This should be assessed by an independent financial advisor to see what the actual losses are, taking external economic conditions into account. Based on this, Transnet should negotiate compensation for loss of income with each affected landowner. The compensation could be in the form of a once off payment, or yearly payments for an agreed period. ▪ To mitigate the noise impacts, and to allow for hunting activities to continue (safety impact), a barrier must be constructed between the railway yard and the affected properties. The dimensions and nature of the barrier should be determined by the engineering team and relevant specialist, with input from the landowner. The ability of the structure to absorb impacts from bullets must be considered; ▪ If the landowners suffer any physical losses due to project activities, the landowner should be

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			<p>compensated for their losses. Transnet must have a claims procedure that is communicated to the affected landowners. In order to receive compensation, the claim forms must be submitted to Transnet. Compensation should follow the IFC principles, which states that market related prices should be paid, and if anything is restored, it must be to the same or better standards than before.</p> <p><u>Safety Impact (Increased security risk as a result of influx of vehicles and visitors to the area)</u></p> <p>The project will have a low safety risk with the implementation of the recommended management measures. The measures prescribed in the project EMPR for safety impacts include:</p> <ul style="list-style-type: none"> ▪ All contractors and employees will need to wear photo identification cards. Vehicles should be marked as construction vehicles and should have Transnet logo clearly exhibited. Entry and exit points of the site should be controlled. ▪ All vehicles entering and exiting the site must be searched to ensure that there are no firearms taken on site, and to discourage poaching. People entering and exiting the site must sign in and out. ▪ Transnet will put procedures in place to respond to strikes as part of their emergency response procedures. These procedures must include communication with the affected landowners in an emergency situation, taking the weak cell phone signal on parts of the farms into consideration. Importantly it is in Transnet's future plans to upgrade the Transnet servitude

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			<p>road from the Afguns tar road to the railway yard and to include access control 150m from the Afguns Road. This would limit strikes to the entry and the Afguns Road and avoid crowds entering the game farming area along the rail servitude and road. It is however not part of the current EIA Study scope of works.</p> <p><u>Air pollution</u></p> <p>It is anticipated that dust would be generated due to vegetation clearance, transportation of materials, construction of the yard, windblown dust from spoil piles and due to vehicle entrained dust along service roads. During operation the vehicle entrained dust would be generated along the Transnet servitude road (currently gravel).</p> <p>The impact from coal dust/particles settling along the ballast is expected but would be site specific and impact minor since no coal handling would be undertaken at the yard only stock inspection.</p> <p>Transnet will apply wet dust suppression where necessary to manage dust emissions from vehicle movement, along gravel roads, control vehicle speeds along unpaved roads (40km/hr) and spoil piles will be reused in berm and fill / rehabilitation of borrow areas to reduce spoil heights and windblown dust.</p> <p>During the operational phase of the yard the Transnet servitude road would be unpaved. Transnet would need to apply wet dust suppression to manage the impact.</p>

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			<p>The servitude road would need to be upgraded to allow for large trucks to access the site, it is however not part of the scope of works for the current EIA Process conducted by Naledzi Environmental Consultants and Transnet would need to apply for a separate Environmental Authorisation for the road upgrade.</p> <p><u>Risk of ground and water pollution</u> The average groundwater level measured during the hydrocensus in the study area is 20.345mbgl and it would take longer for contaminants to reach the water table. Transnet will bund the fuel storage area and a lined earth channel will be constructed to collect contaminated stormwater.</p> <p>Water & oil traps have been incorporated into the yard design to contain contaminated water. The Bio-Mite sewage systems will also be lined to minimise the risk of leakages to the water table and effluent from the system would be treated to DWS standards before being disposed into the soakway pit. Transnet will further drill four new monitoring boreholes to monitoring any possible impacts on groundwater quality. Sampling and analysis of the monitoring boreholes and the two onsite boreholes (GE06, GE01) would be conducted on a bi-annual basis (end of dry season and end of wet season).</p> <p><u>Diminishing value of remainder of property (Geelhoutkloof) and land to be used for borrow areas (Buffelsjagt)</u> The risk of a decrease in property value at</p>

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			<p>Geelhoutkloof is difficult to measure. There are existing factors that already may contribute to this 'property value decrease' namely its location close to industrial activities such as Medupi Power Station, there are existing power lines that traverse the property including the single Thabazimbi to Lephalale railway track. Resgen is already constructing its rail link (currently on halt) next to the existing Lephalale Railway Yard which is proposed to be expanded.</p> <p>Accordingly the decrease in property value cannot be confirmed now and will form part of the land negotiations between Transnet and the affected landowner once land is in the stage to be acquired.</p> <p>The above also applies for the borrow areas. The borrow pits would be temporary and its permits valid for 5 years. The pits will be rehabilitated after use in accordance with an approved Environmental Management Programme and should bring the disturbed area to 'pre-mining' conditions. Transnet will use the spoil material from the cut and fill activities at the railway yard expansion to fill and rehabilitate the borrow areas.</p> <p>If the above stated management measures are implemented as specified within the project EMPR the project impacts should be reduced to acceptable levels.</p>
14.12	30/07/2019 Objection Letter from Burger and Partners Attorneys on	It is evident from the Draft EIR that Transnet is required to liaise with the affected land owners – see the following extract from Paragraph 11.6 at the	Applicant_Transnet: 09/09/2019 Please note that the land acquisition discussions (negotiations between Landowner and Transnet) falls

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	<p>behalf of Mr Hendrie Hills</p>	<p>bottom of Page 205 of the draft report: <i>“ the most important aspect of the project will entail Transnet directly engaging with directly affected farmers about aspects that may affect their livelihoods and compensate them in a fair manner if any assets are lost or compromised ”</i></p> <p>The officials of Transnet, whom also attended the Public Participation meeting, undertook to timeously engage with our client to negotiate compensation and to make a reasonable offer to our client.</p> <p>Transnet deliberately it seems, neglected to do so. The only reasonable assumption is that this was done in order to force our client into a situation where the negotiations are only initiated after the period for objecting to the proposed project and the draft EIR has lapsed</p>	<p>outside of the EIA Process and as such, should not be viewed as a precondition for the support or approval of the latter process which is run independently from Transnet.</p> <p>The assumptions highlighted are therefore incorrect. All land acquisition negotiations in Transnet is undertaken in line with the prescripts of the Public Finance Management Act, Act 1 of 1999 and the Section 25 (3) of the Constitution of the Republic of South Africa.</p> <p>Transnet will formally notify the affected landowners when the land acquisition process will commence.</p>

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14.13	30/07/2019 Objection Letter from Burger and Partners Attorneys on behalf of Mr Hendrie Hills	Our Client objects to the proposed development mainly on three grounds a) The combined negative impacts on our client's properties and livelihood due to the factors mentioned in 2. Negative impact on the land and landowner b) Transnet has not made any offer to our client and it is doubtful whether Transnet would be willing to compensate our client fairly for his combined losses/damages that he stands to suffer; and c) The proposed development will have such a detrimental effect on our client's properties that no compensation will justify it.	See response above.
14.14	17/09/2019 : DEA Site Inspection : E.D. Ras Burger and Partners , Hendrie Hills Attorney (Ernst Burger)	We would like to do a full representation on the project. An objection letter was lodged on the project during the draft EIR and EMPr comment period and we would like to follow through with it. Mr Hills was under the impression, based on the 4 July 2019 engagement meeting with Transnet, that Transnet would engage him on the day of the public meeting to discuss the compensation value for the proposed railway servitude expansion which Transnet failed to do. Consequently, we lodged an objection letter on Mr Hills's behalf. The impression is created that the railway yard will	Janil Bowan , Design Engineer , Transnet The position of the railway yard expansion is based on the point of the existing 100 wagon yard, the simulation study which determined the turnaround times and trip times to consider train turnaround times moving from Richards Bay to Lephalale. The current position was found to be the most optimal. The railway yard expansion also needs to incorporate the position of the existing Resgen rail link turn off along the existing track. The yard cannot be built next to Medupi due to a lack of space and prospects of other coal mine links to the rail yard at its current position. Marissa Botha , EAP , NEC The comment on the consideration of an alternative

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		<p>only be a 22-hectare narrow strip of land to be impacted by the development yet Mr Hills owns a 6000 Hectare block of land operated as a unit of game hunting farms and the yard cuts right in the middle of this land.</p> <p>We continue to emphasize that Mr Hills does not want the project on his land. He strongly feels that the project must move next to Medupi Power Station as it is an existing industrialised area. This railway yard expansion and its associated activities would have a negative effect on Mr Hills livelihood.</p>	<p>location for the yard was considered and addressed in the draft EIR Report and a motivation for the preferred location provided to Mr Hills in a response letter dated 20 February 2019. Refer to the response given to Mr Hills under Section 14.2 of this IRR document.</p> <p>Please refer to Section 7.1 (a) of the final EIR for the discussion on the railway yard expansion location.</p>
14.15	<p>17/09/2019 : DEA Site Inspection: Landowner of farm Geelhoutkloof 717 and farm Geelhoutkloof 359LQ (Hendrie Hills)</p>	<p>Transnet can make alternative designs to link the private rail links to a yard position at Medupi Power Station where it is already industrialised. A shunting yard cannot be operated next to a game hunting farm area it must shift next to Medupi Power Station. I do not want the railway yard expansion at my farm and object to the project at its current location.</p> <p>I am not against development and have in the past given land for free for infrastructure development required in the area.</p>	<p>Marissa Botha , EAP , NEC :</p> <p>Naledzi conducted a focus group meeting with Transnet's and Mr Hills on the 4th of July 2019. The intent of the meeting was to highlight the protected area matter and discuss the approvals required from Mr Hills for the EIA Process to move forward. Naledzi clearly indicated to both parties at the meeting that the EIA Process requires Mr Hills's approval to conduct the project in the protected area and Mr Hills, now also Mr Sauer would need to apply for the amendment of the protected area boundary. Mr Hills explicitly stated at the meeting that no approvals would be given or even considered for signature until Transnet discusses the compensation value for the servitude.</p> <p>Transnet indicated that engagements with landowners'</p>

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			forms part of Transnet's Land acquisition process and this would be initiated once the EIA Process has been completed.
14.16		<p>This railway yard development should be shifted to Medupi. I am not willing to sign any approvals. I want to expand and grow the farm and I clearly indicated to Transnet that they had three options, namely:</p> <ul style="list-style-type: none"> - Shift the railway yard expansion to Medupi - Transnet must buy out my whole farm; or - Tell me what they are going to compensate me for the expanded railway yard servitude. 	<p>EAP: Please refer to Section 7.1 (a) of the final EIR for the discussion on the railway yard expansion location.</p> <p>Transnet indicated that engagements with landowners' forms part of Transnet's Land acquisition process and this would be initiated once the EIA Process has been completed.</p>

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14.17		<p>A site inspection was conducted along the existing railway yard and proposed expansion area. The positions of the proposed infrastructure, streams and pans were pointed out to DEA.</p> <p>Mr Hills also showed attendees activities undertaken on his game hunting farms which border the proposed Lephhalale Railway Yard expansion footprint and existing track.</p>	
15. GEELHOUTKLOOF 359LQ AND 745IQ FARM MANAGER: GAVIN CRONK			
15.1	<p>26/07/2018 Telephonic Farm Manager Portion 1 & remainder Geelhoutkloof 359LQ (Gavin Cronk)</p>	<p>The noise from the trains along the existing railway line is excessive during day and night at my residence at Geelhoutkloof. The noise survey must ensure to measure noise levels generated by loaded trains, not only empty trains, in order to consider the actual increase that is experienced. Loaded trains generate higher noise levels than empty trains.</p>	<p>EAP, Marissa Botha, NEC: Noise and vibration has been identified as a significant impact to be assessed through a specialist investigation during the EIA Study. Measurement of noise levels from loaded and empty trains have been added to the aspects to be assessed by the Noise Specialist.</p> <p>Individual farmsteads have been identified as noise receptors in the project area. Preliminary measurements indicate the ambient noise level at Geelhoutkloof is below 30.0dBA and when trains pass the rail corridor the noise levels increase at the residence to above 50.0dBA (measurement taken 900m from railway line). This noise increase lasts for 4 minutes and is finite.</p>

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			<p>The Noise and Vibration Impact Assessment will be conducted at all the identified noise receptors. The noise study will determine the prevailing environmental ambient noise levels within and adjacent to the proposed rail yard area and this information will be used to determine the possible noise intrusion at the different noise receptors. This will assist in the management of the project in terms of noise mitigatory measures and management principles for implementation during the construction and operational phases of the project.</p> <p>The noise survey will be done:</p> <ul style="list-style-type: none"> • during the day and the night time periods; • Will measure increased noise levels from loaded and empty trains along the existing corridor as requested. <p>Identified activities from the proposed project that may result in an increase in noise levels include:</p> <ul style="list-style-type: none"> • Construction Phase: preparation and provision of infrastructure; • Operation phase: Shunting, train activities, hooting; <p>See Section 14.4.2 (D) under Section I_Plan of Study of the Scoping Report for aspects to the assessed by Noise Specialist.</p>

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			<p>Updated response by Noise Specialist, Barend van der Merwe, dBA Acoustics, as per Noise Impact Report_ March 2019:</p> <p>The Noise Impact Study attached under Volume 2, Appendix 2G of the EIR; found that the noise increase will be very high during the operational phase. The threshold value of 7.0dBA will be exceeded at noise receptors K, L and M (Geelhoutkloof Farm Manager's House) for the duration the hooter will be activated inside the yard area and at intersections. See Section 8.12.3 of the EIR.</p> <p>But by actively managing the railway yard activities and implementing the noise management plan it will ensure compliance to the noise regulations and/or standards. Noise management and monitoring has been recommended as a management measure under Section 10.7 and included under Section 11.7 as an aspect for inclusion as conditions in the Environmental Authorisation. These include:</p> <ul style="list-style-type: none"> ▪ Noise monitoring is to be implemented at the railway yard footprint, noise sources within the railway yard and at abutting residential areas on a monthly basis by Transnet Environmental Department after which the frequency can change to quarterly/annual basis should there be no noise intrusion levels at the residential

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			<p>properties especially receptor M (Geelhoutkloof Farm Manager's residence).</p> <ul style="list-style-type: none"> ▪ Quarterly Noise Audits are to be done by a qualified environmental noise specialist to ensure that the legislated noise will be adhered to at all times. ▪ Noise readings are to be carried out measuring points stipulated in the Noise Impact Report (dBA Acoustics, 2019). Noise levels are to be evaluated in terms of the baseline noise levels.
15.2	<p>26/07/2018 Telephonic Farm Manager, Portion 1 & remainder Geelhoutkloof 359LQ (Gavin Cronk)</p>	<p>We are concerned about the impact the increased noise levels from the rail yard will have on our game breeding and hunting activities at Geelhoutkloof.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>See Section 11.18 and Appendix C6 (Social Scoping Report) of the Scoping Report. The socio-economic impact on direct and surrounding land uses from the development and operation of the railway yard will be assessed through a Social Impact Assessment Study during the EIA Phase.</p> <p>See response under Section 14.1 of the IRR regarding the noise impact. Transnet will consider constructing an earth berm/wall. The project will have enough excess spoil material for a 2 meter high wall with 1:1 slopes for 5km on either side of the railway line/yard. See Appendix B to the Scoping Report for a design plan proposal.</p> <p>Transnet will further adhere to the mitigation of the bio-physical studies.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p>

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			<p>A Social Impact Assessment Study has been conducted for the project and is attached under Volume 2, Appendix 2K. The study has considered the impact from the project on the directly affected properties and their livelihood activities due to noise and visual impact.</p> <p>Based on the study the project will have a negative impact on the directly affected landowners (Geelhoutkloof and Enkeldraai) and some of the livelihood activities undertaken on the farms due to noise increase. A game pen on Geelhoutkloof will also need to be relocated which is situated to close the railway yard expansion.</p> <p>The sense and spirit of place which is important for hunting and tourism activities will be negatively impacted by increased noise levels from trains stopping and starting, airbrakes, shunting, whistles and maintenance activities. The sense and spirit of place will be altered permanently. See Section 8.16.1.1.2 of the EIR.</p> <p>The project will also impact negatively on the livelihood of farmers as it will limit the area to hunt on Geelhoutkloof due to the safety risk of hunting with people present at the railway yard. Noise will also impact on tourists visiting the farm and hunters moving around on the farm. This will have a knock-on effect</p>

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			<p>on the tourism potential of the farm.</p> <p>Some of the impacts can be mitigated by moving infrastructure around, but the direct financial impacts due to loss of revenue from hunting and tourism would need to be determined through a claims procedure that shows the actual losses.</p> <p>Mitigation measures are recommended to manage these impacts under Section 10.7.20 and 10.7.23 of the EIR. The Social Specialist also recommends that Transnet must engage with farmers directly about aspects that may affect their livelihoods and compensate them in a fair manner if any assets are lost or compromised.</p>
16. DIRECTLY AFFECTED LANDOWNER: TJAART SAUER, SUSANNA SAUER AND FRANS SAUER			
16.1	<p>16/11/2018 Comment Sheet Trustee, Enkeldraai Trust, farm Enkeldraai 314LQ (Susanna Sauer)</p>	<p>The noise level in the area will increase significantly and impact on our game farming venture. Trophy hunting north of the railway yard will be directly affected. Our trophy game encampments border the existing railway track.</p> <p>We do not oppose the development but require that the noise levels be controlled.</p>	<p>EAP, Marissa Botha, NEC: A Social Impact Assessment will be conducted as part of the EIA Study which will consider the impact on game farming ventures and how it affects the farmer's livelihood. The outcome of the assessment will be included in the EIR.</p> <p>Applicant, Transnet: The railway yard north of the existing railway yard will be built within existing Transnet Servitude.</p> <p>Transnet proposes to build earth berms of 2m high on both sides of the yard to address visual, noise.</p>

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			<p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>Please note the 2m earth berm is no longer proposed as a mitigation measure for the railway yard safety and noise impacts as stated by Transnet.</p> <p>See response provided for this issue under Section 14.1. The project will have a negative impact on the sense and spirit of place of directly affected game farms and also impact on directly affected landowners' livelihoods. Enkeldraai 718LQ will lose a small portion of the area available for hunting, due to increased noise levels and safety impacts, since the farm is next to the existing railway yard that will now be extended.</p> <p>The direct financial impacts due to loss of revenue from hunting and tourism would need to be determined through a claims procedure that shows the actual losses. The Social Specialist recommends that Transnet must engage with farmers directly about aspects that may affect their livelihoods and compensate them in a fair manner if any assets are lost or compromised.</p> <p>The noise impact can be actively managed by implementing the noise management plan it will ensure compliance to the noise regulations and/or standards. Noise management and monitoring has been recommended as a management measure under Section 10.7 of the final EIR and included under Section 11.7 of the EIR as an aspect for inclusion as conditions in the Environmental Authorisation.</p>

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16.2	16/11/2018 Comment Sheet Trustee, Enkeldraai Trust, farm Enkeldraai 314LQ (Susanna Sauer)	<p>Criminal elements will gain access to our property resulting in poaching and must be avoided at all costs. Access to private properties must be restricted. The game and trophy hunting is our livelihood.</p> <p>Years of input costs towards game feed has delivered quality game and led to an increase in breeding. The railway yard activities and associated noise increase will bring forth stress in game which in turn negatively affects their breeding ability, which has a direct loss of income for us.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>The railway yard will be fenced off and Transnet's planning is to construct a 2m high earth berm on either side of the railway yard. The railway yard will have access control and will implement strict prevention of access to private land.</p> <p>A Social Impact Assessment has been commissioned for the project to assess the impact of the railway yard on the game farming activities and the impact on farmer's livelihoods. The outcome of the assessment and management measures proposed will be included in the draft EIR and EMP.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>See response provided under Section 14.1. by Social Specialist (March 2019).</p>
16.3	18/11/2018 Email Enkeldraai Trust Farm Enkeldraai 314LQ Landowner (Tjaart Sauer)	<p>The farm Enkeldraai has trophy hunting camps on the northern side of the existing railway track. The development will prohibit hunting in that area and affect the total property. Resulting impacts include:</p> <ul style="list-style-type: none"> • No hunting within 1km radius of the yard. About a third of the farm will be lost for hunting activities; • Noise levels will increase significantly due to shunting of wagons, people movement; 	<p>EAP, Marissa Botha, NEC:</p> <p>The railway yard infrastructure to be developed on the northern side of the existing railway track will be developed within Transnet Servitude.</p> <p>Transnet will further be constructing a 2 meter high wall earth berm wall with 1:1 slopes for 5km on either side of the railway line/yard available from excess</p>

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		<ul style="list-style-type: none"> • Game poaching becomes a common problem in developed areas such as mines, sites and stations; • Economical game farming will be impacted and may need to be stopped due to the development; • More private farms will be impacted on the south side of the existing railway track. Instead build the station on the north side to minimise the impact on the area and keep it as compact as possible; • I will have to improve my security systems, permanent supervision on a daily basis including inspections. This will have a big financial impact on me as a landowner; • Due to farm attacks hanging over the country, there is a significant risk to me as a landowner due to development. <p>I am not against the development in the area, but I am directly affected and need to be compensated accordingly.</p> <ul style="list-style-type: none"> • I will be directly impacted financially; • To build up a property to an economical unit costs decades of planning, labour and substantial amounts of capital; • Increase in crime due to development since criminals can gain easier access to properties. <p>Controls to be in place for the development and</p>	<p>spoil material.</p> <p>A Social Impact Assessment will be undertaken as part of the EIA Phase to determine the social-economic risks, significance and recommended management measures for the project.</p> <p>The Lephalale Railway Yard is positioned south of the existing railway track since it's an existing 100 wagon yard, which just requires extension for it to accommodate 200 train wagons.</p> <p>Transnet's has positioned the railway yard development south of the track based on:</p> <ul style="list-style-type: none"> • the point of the existing 100 wagon yard, • the gradient south of the existing track, • Position of prospective client Resgen Boikarabelo Coal Mine's 36km rail link turn off along the existing railway track. • North of the existing railway track is Eskom servitude. <p>Applicant_Transnet Stakeholder engagement with affected landowners will continue throughout the EIA Phase.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>The 2m earth berm has now been excluded as a mitigation measure for noise and safety impacts.</p>

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		<p>activities with the on-going operation:</p> <ul style="list-style-type: none"> • Finger access control need to be in place for everybody to access from the existing main roads to the working place for better control at the work site; • Security guards for searching of vehicles and patrolling the perimeter fence; • Massive and effective security fencing between the building site and the farming area next to it; • Only one proper access control to the building site from the main road; • Flexibility to adjust security measures once made aware of issues experienced on neighbouring properties. <p>I am not against development but it will have a significant impact on the farm Enkeldraai and its way of farming, my lifestyle is going to change dramatically.</p> <p>A solution needs to be found around the development that benefits both parties.</p> <p>We as a family started farming in the area before any farm fences, mines; water development came to the area. An impact study can't cover everything; it's only a solution for the present situation. It must be reviewed from time to time to cover new impacts never thought of which may prevail in future.</p>	<p>Transnet has confirmed it will not be feasible to construct.</p> <p>Regarding access control, this concern was shared by Mr. H. Hills and responded to under Section 14.3 of this IRR document. It can be provided along the existing Transnet servitude road 150m from the D2649 Afguns Road. However please note that the upgrading of the existing Transnet servitude road does not form part of this EIA Study Scope of works. It has been included as a mitigation measure in the EIR (Section 10.7.17).</p> <p>The railway yard will be fenced off with access control. The request for security guards for searching of vehicles and patrolling the perimeter fence will be considered as part of the operational management measures of the railway yard.</p>
16.4	19/11/2018	The development will have a direct impact on us.	Applicant_Transnet, Dylan Jacobs (Senior

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	<p>Email Enkeldraai Trust Farm Enkeldraai 314LQ (Frans Sauer)</p>	<p>Hunting is conducted with high calibre firearms that cannot be fired close to any development were human lives are at risk. We will lose a third of property to generate income, in affect reducing the jobs we can afford to keep.</p> <p>Clients come to the farm expecting a bush experience with limited noise and unsightly constructions. This will in effect destroy the rest of the possible income generated from the farm.</p>	<p>Engineer) 6 December 2018:</p> <p>Transnet will consider constructing an earth berm/wall. The project will have enough excess spoil material for a 2 meter high wall with 1:1 slopes for 5km on either side of the railway line/yard. This will significantly reduce the visual and noise impact from the railway yard. See Appendix B to the Scoping Report for a design plan proposal.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>See response provided under Section 14.1 Updated response by Social Specialist (March 2019). These aspects are also addressed in the Social Impact Report under Volume 2 Appendix 2K of the EIR.</p> <p>Also refer to Section 8.16 ‘Socio-Economic Conditions’ of the EIR which state the social and economic impacts on landowners refer to specific subsections of the EIR:</p> <p>8.16.1.1.2 Impact on Sense of place</p> <p>8.16.1.1.4 Impact on livelihood of farmers</p> <p>8.16.1.1.5 Safety Impacts.</p> <p>The impacts are rated under Section 10.3 – 10.6 of the</p>

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			<p>EIR and management measures are proposed under Section 10.7 ‘Recommended Mitigation Measures’ (Table 37) to lessen the impact (specifically refer to subsections 10.7.20, 10.7.23, 10.7.24 of Table 37).</p> <p>The recommended mitigation measures under Section 10.7 (as per sections specified above) have also been included under Section 11.7 of the EIR as ‘aspects for inclusion in the Environmental Authorisation.</p>
16.5	<p>19/11/2018 Email Enkeldraai Trust Farm Enkeldraai 314LQ (Frans Sauer)</p>	<p>The increase in people movement in the area will pose a risk for increased game theft. Not having patrols on the fences and doing daily sweeps of the area around the development will result in uncontrollable game theft. We as a small business do not have the resources to establish these security measures.</p> <p>The increase in people movement in the area will pose a safety risk. Older people on farms are easy targets for crime.</p> <p>Requirements from our side in terms of security measures and control of people movement:</p> <ul style="list-style-type: none"> • Finger access control need to be in place for everybody to access from the existing main roads to the working place for better control at the work site; • Security guards for searching of vehicles and patrolling the perimeter fence; • Massive and effective security fencing between the building site and the farming area 	<p>EAP, Marissa Botha, NEC:</p> <p>The concerns have been recorded in the final Scoping Report under Section 11.18 and in Appendix D10 in the IRR. A Social Impact Assessment will be undertaken as part of the EIA Phase to determine the risks, significance and recommended management measures for the project.</p> <p>Applicant_Transnet: In terms of security measures and control of people movement, the railway yard will be fenced off and have one access control. A 2m high earth berm of 5km will be constructed on either side of the railway yard.</p> <p>The request for security guards for searching of vehicles and patrolling the perimeter fence will be considered as part of the operational management</p>

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		<p>next to it;</p> <ul style="list-style-type: none"> • Only one proper access control to the building site from the main road; • Flexibility to adjust security measures once made aware of issues experienced on neighbouring properties. <p>My request is that the farm owner and myself as partner in the venture be allowed to negotiate opportunities for compensation and allow us to continue with running our business in the game industry.</p>	<p>measures of the railway yard.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>See response provided under Section 14.2, 15.1 and 15.3 of this IRR document.</p> <p>Updated response by EAP: 09/09/2019</p> <p>Please note Transnet has made the decision to exclude the earth berms from the railway yard design (refer to updated response of 20 Feb 2019 under Section 14.1. of this IRR).</p> <p>In particular to the comment ‘to negotiate opportunities for compensation and allow us to continue with running our business in the game industry’;</p> <p>It is a recommended mitigation measure for inclusion in the Environmental Authorisation under Section 11.7 of the EIR that Transnet must engage with farmers directly about aspects that may affect their livelihoods and compensate them in a fair manner if any assets are lost or compromised.</p> <p>Please refer to Section 10.7 ‘Recommended mitigations measures’ (Table 37) of the EIR specifically to subsection 10.7.24 which stipulate the recommended mitigation measures to address safety</p>

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			impacts as specified by the Social Specialist.
17. ESKOM DISTRIBUTION (22KV THEUNISPAN STOCKPOORT 22KV POWER LINE)			
17.1	<p style="text-align: center;">31/10/2018 Email Eskom Distribution: Land Development & Environmental Management (Xander Neethling)</p>	<p>We have a number of network components in your study area including a new project. It is linked to the Lephallale Railway Yard customer Transnet. We need to supply 4 Traction substations between Lephallale to Thabazimbi with 132kV. Our Basic Assessment process has not commenced yet. Please forward your project geographical data for consideration.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>Response provided 31 November 2018</p> <p>Geographical data (kml) files have been submitted to Eskom on 31/10/2018. Based on the data neither the Medupi Lephallale Theunis power line nor Lephallale Traction Alternative 2 is affected by the railway yard.</p> <p>More importantly, the 11-33kV Eskom power line south of the existing railway track needs to be relocated to make way for the railway yard. See Section 5.3 of the Scoping Report.</p> <p>Applicant_Transnet Response 12 December 2018:</p> <p>Transnet will avoid any interference with Eskom's infrastructure with regards to the development of the Lephallale Yard. Infrastructure within the railway yard design will be relocated to accommodate the 22kV Theunispan Stockpoort power line.</p> <p>Transnet is also seeking an alternative site for Borrow Area 1 further away from the Medupi Spitskop 1400kV power line to avoid any impact on the servitude.</p>

Number	Date of comment, comment name of organisation/I&AP	Comment	Response from EAP/Specialist/Applicant
17.2	<p>12/10/2018</p> <p>Email</p> <p>Eskom Distribution: Land Development & Environmental Management (Xander Neethling)</p>	<p>Borrow Area 1 is in close proximity of the Medupi Spitskop 1400kV Transmission power line. If the borrow area extends into the servitude area of the line, approval should be obtained from Eskom Transmission, Lungile Motsisi (011 800 5734).</p> <p>The power line requiring relocation is the Theunispan Stockpoort 22kV line with structure number TST5/77/132.</p> <p>To arrange for the relocation, please contact Ms Keneuoe Kojana (+27 15 299 0374) who is the Transnet Customer Executive responsible for relocation applications.</p> <p>Transnet will be responsible, also financially, for the relocation of the 22kV power line and will need to lodge an 'Infrastructure Relocation Application' to Eskom for these purposes.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>The I&AP Database has been updated with the details of Eskom Transmission, Lungile Motsisi. See the I&AP Database attached under Appendix D1 of the Scoping Report and under Volume 3_Appendix 3A of the EIR.</p> <p>Transnet will avoid any interference with Eskom's infrastructure with regards to the development of the Lephalale Yard. Infrastructure within the railway yard design will be relocated/incorporated into the design to accommodate the 22kV Theunispan Stockpoort power line. See Section 3.2 of the EIR which states this.</p> <p>As per Section 4.4.8 and 7.1 (b) of the EIR, Transnet has two preferred borrow areas and have considered two alternatives suggested by the landowner. The alternatives are not considered feasible since there are no soil tests to determine if suitable material can be sourced from these locations. The Transnet referred borrow areas have confirmed suitable material. To this extent Transnet will submit the borrow pit applications for its preferred borrow sites with the provision of Section 39 of NEMA Regulations.</p> <p>The relevant applications and subject reporting must still be submitted to the DMR. Transnet will submit the application to DMR. The Basic Assessment Report and</p>

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			Environmental Management Plan prepared for the borrow areas will first be subject to a 30 day public review period and Naledzi will make it available to the project I&AP Database before its submitted to DMR. Thus there is still opportunity for Eskom to comment on the borrow pit application positions.
17.3	24/07/2019 EIR Draft Public Participation Meeting at Komunati Lodge (Tumelo Moila)	Is the landowner the only party that is to give consent to the borrow pit application?	<p>EAP, Marissa Botha, NEC: Updated response 09/09/2019</p> <p>Refer to Section 3.2 of the final EIR. As per Regulation 39 of the NEMA EIA Regulations 2014 the requirement for landowner consent for application of environmental authorisation, does not apply inter alia for linear developments (e.g. pipelines, power lines, roads, railway lines) or if it is a SIP as contemplated in the Infrastructure Development Act, 2014. The project including the required borrow pits, fall under SIP 1 and thus landowner consent is not required.</p> <p>I&APs will be provided the opportunity to comment on the Borrow Pit applications and subject reporting.</p>

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18. ADJACENT LANDOWNER: PROF. JAN MEIRING, TAAIBOSCHPAN 320LQ: COMMENT ON BID			
18.1	21/07/2018 Telephonic Taaiboschpan Landgoed BK (Prof. Jan Meiring)	I am opposed to this project. The area is used to farm game and for hunting activities. This industrial activity would impact on our land uses. We have spent significant capital on our farms for hunting and tourism activities.	<p>EAP, Marissa Botha, NEC: The objection has been recorded in the IRR under Appendix D10 of the Scoping Report.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>Based on the specialist investigations conducted as part of the EIA Study for the project the only directly affected landowners include Geelhoutkloof 359 and 745LQ also Enkeldraai 718LQ. The sense and spirit of place of these farms will be affected including their livelihood activities. See responses under Sections 11 and 12.</p> <p>To assess the visual impact from surrounding properties onto the railway yard expansion the Visual Specialist considered the impact from Key observation points (KoP) within 10km radius of the study site as viewpoints for assessing the potential visual impacts from the activity. KoP 19 is the viewpoint at Taaiboschpan 320LQ. The assessment found that the areas to the north of the railway infrastructure, all KOP's (KOP17 – KOP21) further than 500m had no visual disturbance of the railway of the proposed new buildings, as the vegetation gave a total screen of the</p>

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			<p>existing and proposed facilities (offices, stores, communications tower). The only possible change can be with lights used at night (no direct impact, but a background glow).</p> <p>According to the Noise Impact Assessment ‘Noise Contour Map (included as Figure 33 of EIR) the predicted noise levels at the border of Taaiboschpan 320LQ will be very low at 20-25dBA to insignificant. Also refer to the Noise Impact Assessment Report attached under Volume 2, Appendix 2G to the EIR.</p>
18.2	<p>23/07/2018 Email Prof. Jan Meiring Taaiboschpan Landgoed BK</p>	<p>I hereby confirm receipt of the BID and notification letter. Please make sure that no correspondence for the project is sent to me via registered post. I don’t have the time to collect it during office hours at the Post Office.</p>	<p>EAP, Marissa Botha, NEC: Communication with I&APs will be via telephone and through email. Response provided on 23 July 2018 via email.</p>

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19. LEPHALALE DEVELOPMENT FORUM			
19.1	13/11/2018 Comment Sheet Lephalale Development Forum (Jacques Snyman)	Consider including a sewage treatment package plant for waste water treatment in the design of the railway yard. No provision is made in the medium term for additional WWTW capacity at Lephalale Local Municipality (LLM). Current WWTW capacity is insufficient and in dysfunctional state.	<p>Applicant, Transnet:</p> <p>Transnet has considered a small package plant to process grey water, yet this option was omitted due to its expensive set up cost and since volumes generated at the yard would not substantiate such.</p> <p>A Bio-Mite submerged Waste Water Treatment system is proposed for wastewater collection, treatment and discharge into a soak away system. It has a lower set up cost and is more suitable for the volume of wastewater to be generated at the yard. See Section 4.1, 7.3.1 and Appendix B6 of the Scoping Report.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>A Bio-Mite System will be constructed at the North-, South Facility and the Guard House of the railway yard. Details are included under Section 4.3.3 and 4.4.3 of the EIR.</p>
19.2	13/11/2018 Comment Sheet Lephalale Development Forum (Jacques Snyman)	Please consider relocating/replanting protected trees where possible and practical. Learn from the Exxaro GMEP project as to how they did it. The contact details for Filomaine Swanepoel have been provided.	<p>EAP, Marissa Botha, NEC:</p> <p>The I&AP Database has been updated with the contact details of Filomaine Swanepoel.</p> <p>The request will be considered in the EIA Process and discussed with the landowner from whose property</p>

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			<p>these trees will be removed.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>Based on the recommendations from the Ecologist nationally protected trees <i>Boscia albitrunca</i> (Shepherd's Tree) and <i>Sclerocarya birrea</i> (Marula Tree) will be marked for removal under permit. Marula trees should be replanted at appropriate sites at the study area. Shepard's tree cultivation success is too low at present to be practical in which case other indigenous trees should be cultivated at appropriate sites at the study area. See Section 8.10.2.1 in the EIR under Environmental Attributes.</p>
19.3	<p>13/11/2018 Comment Sheet Lephalale Development Forum (Jacques Snyman)</p>	<p>Please let us know what skills you will require by when, this will help inform local skills development projects, to provide you with at least a percentage of local skill.</p> <p>Also let us know regarding local business opportunities e.g. what kind of business/products/services Transnet will need to inform LED/ED/Supplier Development projects.</p> <p>Please refer to the DHET 'Skills for SIPs through SIPS' skills development program.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>Transnet has confirmed during the construction phase 50-80 job opportunities will be created mainly comprising unskilled labour. Labour will be sourced from the local area; no construction camp will be required.</p> <p>During the operation phase it is estimated that 50-100 people will work at the yard as the railway yard will provide facilities to two (2) different operating units of Transnet. Permanent staff will be sourced from the</p>

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			<p>local area as far as possible.</p> <p>A typical Yard will have the following Permanent positions:</p> <p>I. Operations:</p> <ul style="list-style-type: none"> - Area Manager - Section Manager - Yard Manager - Crew Manager - Safety Manager - Yard officials - Refuelling and sanding <p>II. Infra Crew:</p> <ul style="list-style-type: none"> - 1x Track Master - 21 x Infra Workers - 3 x Flagmen <p>III. Fire and hazmat: Fire Officials</p> <p>IV. TE: Carriage & Wagon, Locomotive</p> <p>It estimated that the project may only be commissioned in the year 2021.</p> <p>Transnet has agreed to notify the Lephalale Development Forum of any business opportunities.</p> <p>See Section 7.9 of the final SR.</p> <p>Updated response by EAP, Marissa Botha, NEC_14</p>

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			<p>May 2019:</p> <p>The Social Impact Assessment Report attached under Volume 2, Appendix 2K of the EIR recommends that Transnet liaise with the LDF to determine which skills are locally available and which skills would be required for the project. Through the LDF Transnet can determine whether there are any opportunities to offer internships and practical experience for local students. Transnet should ensure that skills development requirements form part of their contracts with sub-consultants.</p>
19.4	24/07/2019 EIR Draft Public Participation Meeting at Komunati Lodge (Jacques Snyman)	The existing Transnet servitude road alongside the existing railway track is too narrow, hardly allows for a sedan vehicle to drive past.	<p>Janil Bowen, Transnet, Project Engineer</p> <p>The bypass line will be constructed first followed by the internal tar access road for the yard. The existing gravel Transnet servitude road from the Afguns tar road will not be upgraded before the railway yard. But it would need to be upgraded to allow for large trucks to access the site, it is however not part of the scope of works for this project.</p>
19.5		<p>What skills would be required for the project and how many people would be employed?</p> <p>When will the construction start and when will the operation of the expanded yard start?</p>	<p>Mlungisi Daniel, Transnet, Principal Engineer</p> <p>Transnet will employ between 50-80 people during the construction phase and 50-100 people during the operational phase. To construct the railway yard expansion Transnet would mostly require unskilled</p>

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			<p>labour. Refer to Volume 3 Appendix 3K of the final EIR. The minutes of the 24 July 2019 public meeting include is appended under Appendix 3K and includes the skills requirements list under Annexure A.</p> <p>The start date for the construction and operation of the project is dependent on the market. The anticipated start and end date for construction is 2021 - 2024 and operations are set to start by 2025.</p>
19.6		<p>It's important to conduct a baseline study on the groundwater quality and availability. Include Roads Agency Limpopo (RAL) as soon as possible in project to avoid complications later on. There is a history of projects coming to a standstill due to companies not following proper protocols and failure to alert and notify all the relevant stakeholders.</p>	<p>Marissa Botha, Naledzi, EAP</p> <p>A comprehensive groundwater impact assessment study was conducted by Naledzi Waterworks for the Lephalale Railway Yard expansion project. We are confident that the information available to us and presented in the report is accurate.</p> <p>RAL is aware of the upgrades required and their prerequisite is that the applicant assist in funding the upgrades required. The EIR and EMPr were made available to RAL for comment including the Traffic Impact Assessment Study.</p>
19.7		<p>We advise Transnet to find another alternative instead of transporting water from the municipality to the development footprint because this would be very</p>	<p>Janil Bowen, Transnet, Project Engineer</p> <p>We did not have knowledge and information of the existing borehole quality and availability of</p>

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		costly over the life of the yard.	<p>groundwater on the development site. After various site visits and information from the specialist's reports and landowner we will consider and investigate the option to use groundwater instead of trucking water to site from a municipal source on a frequent basis.</p> <p>EAP, Marissa Botha, NEC: Updated response 09/09/2019</p> <p>Refer to Section 4.3.5 of the final EIR. Transnet will now apply for a water use license to abstract groundwater through a borehole/s to supply the yard water requirements.</p>
20. LESEDI COMMUNITY, STEENBOKPAN			
20.1	23/07/2018 Email Ward Committee and Lesedi Community Steenbokpan (Ezekiel Mochambi)	Lesedi Location at Steenbokpan has the Lesedi Tshukudu Thusong Centre whereby one BID can be placed. We fall in Ward 3 and would like to receive more information for us to consider the social impact the project may have on us.	<p>EAP, Marissa Botha, NEC: The BID was emailed to Mr Mochambi on 26 July 2018.</p> <p>See Appendix D6 attached to the Scoping Report as Proof of emailed BID notifications.</p>
20.2	01/11/2018 Email Ward Committee and Lesedi Community Steenbokpan (Ezekiel Mochambi)	I suggest you arrange a public meeting for the Steenbokpan community. The public meeting is too far and starts too late.	<p>EAP, Marissa Botha, NEC:</p> <p>Based on the public participation programme for the project a focus group meeting will be scheduled with the Lesedi community at Lesedi Location, Steenbokpan during the EIA Phase of the project. The</p>

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			<p>anticipated date will be communicated either during January of early February 2019. This has been included in the Scoping Report under Section 13.9 under PPP and has also been included in the Plan of Study for EIA under Section 14.7 (a).</p> <p>Please note other avenues of consultation have been used during the Scoping Phase which included the placement of the draft Scoping Report at the Lesedi Thusong Community Centre for public review and comment including the provision of the Background Information Document for the project. See Appendix D6 and D7 appended to the Scoping Report for proof of distribution of the BID and DSR to Lesedi Community.</p>
20.3	<p>05/11/2018 Comments Sheet Ward Committee and Lesedi Community Steenbokpan (Ezekiel Mochambi)</p>	<p>We cannot attend the public meeting of 13 November 2018. The meeting is 60km from Lesedi and the time is 14:00. We are using public transport (taxis and bus) which travel from 7:00 – 15:00. The meeting starts at 14:00.</p>	<p>EAP, Marissa Botha, NEC: Updated response 09/09/2019</p> <p>A public meeting was held with the Lesedi Community on 13 February 2019. Refer to Volume 3 Appendix 3I of the final EIR for the minutes and signed attendance register.</p>
20.4	<p>05/11/2018 Comments Sheet Ward Committee and Lesedi Community</p>	<p>Skills development and the education levels are very low at Lesedi. We have one combined school (Lerekhureng) teaching up to Grade 9. Transnet must adopt this school and assist our youth.</p>	<p>Applicant_Transnet:</p> <p>Transnet Foundation the Social Corporate Investment Unit (CSI) of Transnet has an education portfolio for the upliftment and Empowerment Through Education.</p>

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	Steenbokpan (Ezekiel Mochambi)	<p>Employment: Majority of us have Agricultural backgrounds, we do not have skills. It will be great if Transnet can implement some skills development. 50% of the available job opportunities need to be available to the locals.</p> <p>We need Transnet to take us seriously and assist us to develop. We want to be entrepreneurs. So assist us with training as your community social responsibility.</p>	<p>Others include health, sport, and socio-economic infrastructure development.</p> <p>At this point only local employment can be made available as per the Transnet supplier development targets.</p> <p>Applicant_Transnet:</p> <p>Communities will benefit from potential local employment based on the supplier development targets. Unskilled labour will be required during the construction phase especially for laying of the rail tracks. Job opportunities will be available for unskilled labour and will be sourced locally as far as possible.</p>
20.5	<p>13/02/2019 Lesedi Community Public Meeting Ditiro Majapholoa (Chairperson of Steenbokpan Community Forum)</p>	<p>Before and when Medupi was built the Lesedi community was told that they will not be impacted by the power station, yet the people in the community get TB, lung diseases and cancer.</p> <p>Don't come and tell us as a community the development will not impact us. We have been lied to before. There is a history of impacts on the Lesedi community that has not been recognized.</p> <p>The Lephalale Local Municipality does not recognize the Lesedi community.</p>	<p>EAP, Marissa Botha, NEC:</p> <p>A coal fired power station and a railway yard, such as the Lephalale Railway Yard do not have the same environmental impacts. The Lephalale Railway Yard will have site and localized environmental impacts which are distant from Lesedi. The impacts being referred to include clearing of indigenous vegetation, visual impact, traffic and noise. These impacts will not be felt by the community since you are located approximately 17km away from the site. The impacts from the project will be felt by the directly affected</p>

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			<p>landowner and adjacent landowners.</p> <p>Medupi power station is a coal fired power station which is a source of Sulphur dioxide, Nitrogen oxide and Particulate Matter (fly ash/smoke) air pollution. These fumes are emitted into the atmosphere through tall stacks. Wind transports the pollutants making the pollution disperse over a large areas. The air pollution caused by the power stations can contribute to health problems that include lung diseases. The three mentioned primary pollutants are controlled by the Minimum Emission Standards published in terms of the National Environmental Management Air Quality Act. In summary the impact from the power station is felt over a greater distance from the source. The environmental impacts resulting from the two developments are thus entirely different. One needs to compare 'apples to apples' not 'apples to oranges'.</p> <p>Naledzi is advising the community from a scientific point of view that the specialist investigations recently completed for the project found that most impacts would be site specific or localized. No environmental impacts are anticipated to extend beyond a 3km radius from the site.</p>
20.6		We do not have a secondary school in Steenbokpan. The children have to travel too far by bus to commute	<p>MB (NEC)</p> <p>This issue has been raised before by a Lesedi Ward</p>

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		<p>to school so they don't persevere. 80% of the youth at Lesedi don't have matric.</p> <p>We want skills development in Lesedi community.</p>	<p>Committee Member. Transnet's response to the issue was that it has a Social Corporate Investment Unit (CSI); Transnet Foundation has an education portfolio for the upliftment and Empowerment through Education. Other portfolios include health, sport, grants, employee volunteer programme information and socio-infrastructure development. Transnet Foundation has objectives set in terms of delivering sustainable developmental projects through the efficient use of resources, and makes an effort to reach communities as far as it can.</p> <p>Applicant_Transnet:</p> <p>In relation to the Lephalale Railway Yard project, Transnet can at this point only provide local employment once the project is commissioned.</p>
21. SOUTH AFRICAN AVIATION AUTHORITY_13 NOVEMBER 2018			
21.1	<p>13/11/2018</p> <p>Email</p> <p>Civil Aviation Authority / ATNS</p> <p>Obstacle Evaluator (Siphiwe Masilela)</p>	<p>If there are any structures higher than masts, antennas which fall within a 15km radius of any airport in close vicinity, we will need to conduct a formal assessment when the project is ready for construction. For us to carry out a successful assessment we require the following:</p> <ul style="list-style-type: none"> • Location of each structure (coordinates) • Site/ground elevation 	<p>EAP, Marissa Botha, NEC:</p> <p>The project is situated 25km west of the 'Ellisras Vliegvelde Aerodrome' close to Medupi power station. The project is thus out of the 15km radius of the airport. There will also be no antennas or masts as part of the project. The highest structure would be the water reservoir placed on a concrete slab at a maximum height of 4.8m. No formal assessment would there be</p>

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		<ul style="list-style-type: none"> Height to the top of structure (in meters) 	<p>required for the project.</p> <p>Updated response by EAP, Marissa Botha, NEC_14 May 2019:</p> <p>See Section 4.4.1 of the EIR. During the site visit in February 2019, it was mentioned by the Transnet Engineers that a communications antenna will be constructed. But the height has not been confirmed. It should not exceed the current height of the existing power lines close to the project site.</p>
22. RESGEN , ENVIRONMENTAL MANAGER , LOUISE NICOLA _ 24 JULY 2019			
22.1	<p>24/07/2019</p> <p>EIR Draft Public Participation Meeting at Komunati Lodge (Louise Nicolía)</p>	<p>What mitigation measures are proposed to lower the noise levels from the railway yard?</p>	<p>EAP , Marissa Botha , NEC :</p> <p>Refer to Section 5.1.10 for the Final EIR and Volume 2 Appendix 2G for the Noise Impact Assessment Study.</p> <p>Noise will be controlled through approved acoustic screening measures namely conducting noise surveys during the operational phase whereby noise sources will be identified and acoustically screened off. Shunting must be preferably be done during daytime, where practical and all point source noise will be identified and acoustically screened off. Transnet will implement a noise management plan during the construction and operational phases so as to</p>

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			identify any noise increase on a pro-active basis.
22.2		It is said that two small pans are located within the yard footprint area and that these would be destroyed and rehabilitated elsewhere. Can you please elaborate?	<p>EAP , Marissa Botha , NEC:</p> <p>According to the Wetland Impact Assessment Study the two small pans are located within the footprint of the railway yard expansion. The buffer zones of the pans are also already compromised by the existing railway track. The Pans are probably partially maintained by the present railway line structures.</p> <p>Since these pans are very small and not comparable to larger pans in the region the scope, as per the Wetland Study, is during construction to move each of the pans forty metres from the edge of the road next to the railway yard expansion footprint. This will slightly improve the wetland characteristics.</p>
22.3		It's important that Transnet involves local businesses and development forums from around the development area. There is also a history of communities stopping and disrupting projects especially if the workforce is not sourced locally.	<p>EAP , Marissa Botha , NEC:</p> <p>A public meeting took place with the Lesedi community during February 2019. The locals were informed that this particular project would not yield many employment opportunities and only a limited number of labourers would be required.</p>

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22.4		Transnet must appoint an officer that will be available 24/7 on site to address any issues that might arise.	<p>Ise Aucamp, Equispectives, Social Specialist:</p> <p>It is part of the mitigation measures enclosed in the Social Impact Assessment for the project. Transnet must assign a Community Relations Manager (CRM) that is responsible for all the social aspects of the Lephalale Railway Yard to a specific person. This person will also be the contact person that community members can contact in case of emergency or for any community related matters. More details are enclosed in the Social Study.</p>
22.5		The borrow pit reports need to be made available for public review.	<p>EAP , Marissa Botha , NEC:</p> <p>Yes, once the positions have been confirmed and the application is lodged, we would prepare the Basic Assessment Report and Environmental Management Programme and make it available for 30 days public review. There is however no requirement for a public meeting for the borrow pits.</p>
23. RENTECH , SURROUNDING LANDOWNER , PIETER HALLAT , 24 JULY 2019			
23.1	24/07/2019 EIR Draft Public Participation meeting at Komunati Lodge (Pieter Hallat)	Who will be in charge of Transnet's construction activities at the railway yard expansion?	<p>Principal Project Manager , Mlungisi Daniel Transnet :</p> <p>There is an internal construction company within Transnet that is responsible for all the construction of</p>

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			<p>railway lines.</p> <p>Janil Bowan , Design Engineer , Transnet:</p> <p>There are certain aspects of the project construction that would require specialists and if such a specialist is not available within Transnet, we source the skills externally.</p>
24. MAGWA, KOOS AND CANZETTA BARNARD _ 24 JULY 2019			
24.1	<p>24/07/2019</p> <p>EIR Draft Public Participation Meeting at Komunati Lodge (Koos & Canzetta Barnard)</p>	<p>Coal will be loaded onto train wagons and transported from the yard along the existing rail track. We are concerned with the amount of coal dust that could settle on surrounding properties and along the track.</p> <p>What measures are in place to reduce the coal dust from the yard and rail track, further would any dust monitoring be implemented?</p>	<p>Principal Project Manager , Mlungisi Daniel Transnet :</p> <p>Currently there are no alternatives for minimizing or monitoring dust from coal but this is something Transnet will go and investigate and see if we can find any suitable way of dealing with dust from coal. Dust generated by vehicles will be minimized by the dust suppression method for as long as dust is generated.</p> <p>EAP, Marissa Botha , NEC: Please be advised that no coal will be loaded and handled at the railway yard. The coal will be loaded onto the train wagons at the local mines' private sidings. At the yard the rolling stock will be checked and 200 wagon trains compiled. There will be some coal dust settling on the track ballast but it has not been identified as a significant issue. The sensitive receptors to such emissions are</p>

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			<p>located distant from the yard and rail track.</p> <p>Should this become a nuisance during the operational phase dust monitoring buckets can set up around the yard to determine if the fugitive dust exceeds allowable limits.</p>

ANNEXURE A

**WRITTEN COMMENTS RECEIVED FROM I&APS DURING
PUBLIC REGISTRATION PERIOD ON THE BID**

Project Site for new Lephalale Railway Yard

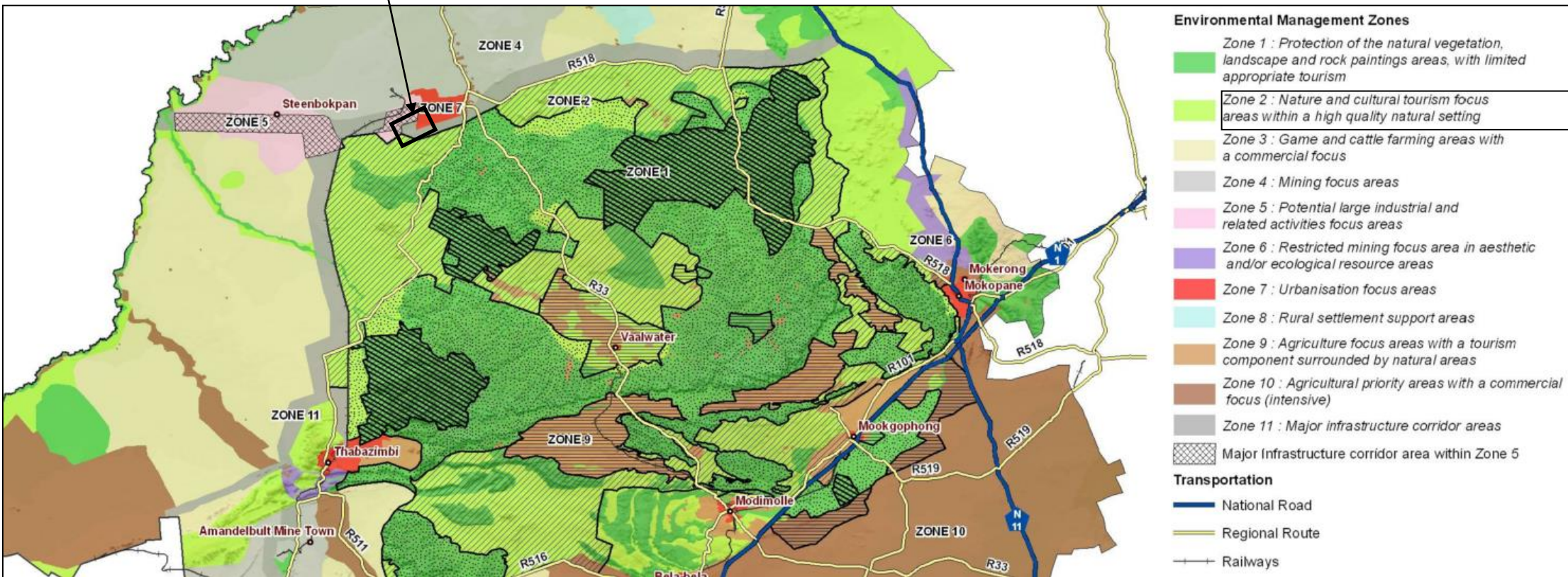


Figure 1: Location of project site (black polygon) in terms of Waterberg District Environmental Management Framework - Environmental Management Zones

ANNEXURE C

**WRITTEN COMMENTS RECEIVED FROM I&APS ON THE
SCOPING REPORT AND OFFICIAL RESPONSES PROVIDED
THERE TO**

ANNEXURE D

**WRITTEN COMMENTS RECEIVED FROM I&APS ON THE
FINAL SCOPING REPORT**

ANNEXURE E

**WRITTEN COMMENTS RECEIVED FROM I&APS ON THE
DRAFT EIR AND EMPR AND RESPONSES OFFERED BY
NALEDZI AND TRANSNET**