

COMMENTS AND RESPONSES: DRAFT SCOPING REPORT FOR THE PROPOSED SUNVELD SOLAR PV AND BATTERY ENERGY STORAGE (BESS) FACILITY ON FARM KRUISPAD 120 AND ON THE FARM DOORNFONTEIN A 118 SITUATED APPROXIMATELY 7.5 KM EAST VELDDRIF IN THE BERG RIVER MUNICIPALITY OF THE WESTERN CAPE PROVINCE.

DFFE Reference Number: 14/12/16/3/3/2/2436

The Draft Scoping Report for the abovementioned project was available for a 30 day comment period extending from **15 September 2023 – 17 October 2023**.

The Draft Environmental Impact Report for the abovementioned project was available for a 30-day comment period extending from **06 March 2024 – 08 April 2024**.

The comments and responses captured in the table below are captured verbatim as per the department’s requirements. The comments are furthermore captured in chronological order on the date they were received (most recent comments at the beginning of the table)¹².

Comment	Response
Comments on Draft Environmental Impact Report	
Ms Mmatlala Rabothata: Department of Forestry Fisheries and the Environment: Biodiversity Conservation Directorate – 11 April 2024	
Based on the information provided in the report, the layout largely avoids Critical Biodiversity (CBA1) and CBA 2 areas. Project infrastructure has been designed to largely avoid sensitive features such as near-intact and degraded Saldanha Flats Strandveld. The current land use is predominantly agriculture or secondary vegetation, and the associated impacts caused by this to the terrestrial ecology is considered to be low.	The EAP confirms that the departments understanding in this regard is correct.

¹ In instances where multiple correspondence was exchange in a single email thread, the date reflected is that of the first email received.

² Comments received after submission of the Final Scoping Report and before the public participation period on the Draft Environmental Impact Report are reflected under “comments on Draft Environmental Impact Report”

Comment	Response
<p>The specialist confirmed that the study site is located within an area that is mostly considered of Low Aquatic Biodiversity Combined sensitivity as it does not lie within a Freshwater Ecosystem Priority Area, river sub catchment of has any Aquatic Critical Biodiversity Areas mapped. The site is also not located within a strategic water source. The aquatic features occurring within the site comprise of some disturbed depression wetlands within the cultivated areas on site as well as the floodplain of the Berg River Estuary in the South Western Corner of the Site. The Depression Wetlands as well as the floodplain wetlands are in a largely to seriously modified ecological condition in the site as they are all in cultivated areas.</p>	<p>The EAP confirms that the departments understanding in this regard is correct. Notwithstanding the largely to seriously modified ecological condition of the depression wetlands on site, it is confirmed that the Mitigated Preferred Layout, Layout Alternative 5 completely avoids all of these features as well as the buffers identified by the freshwater biodiversity specialist. It is also noteworthy that the BESS has been positioned in such a way that it remains further than 400m from these features.</p>
<p>It is recommended that areas rated as high sensitivity in proximity to the development areas, be declared as “no-go” areas during the lifecycle of the project. Clearing of vegetation must be minimised and avoided where possible. An Alien Invasive Plant Species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate habitat degradation due to erosion and alien plant invasion.</p>	<p>In terms of the EMPr, all areas outside of the development areas and access road are considered no go areas for all construction activities. In terms of section 5.7 of the EMPr, vegetation clearing must be kept to a minimum and restricted to the following areas:</p> <ul style="list-style-type: none"> - Internal Road Network - Perimeter Road, - Inverter / Transformer Stations, - Laydown Area, - BESS Area - Site Camp and - Building Footprints <p>For the PV Array, the grass / scrub layer should be left intact (albeit trampled by construction activities) and only the larger woody plants cleared or trimmed where necessary. An Alien Invasive Management Plan is included in Section 7 of the EMPr attached in appendix H. A rehabilitation and habitat restoration plan is included in section 5.20 of the EMPr attached in appendix H.</p> <p>In terms of this plan, all areas not forming part of the development's hard surfaces must be rehabilitated and restored on completion of construction. These include:</p> <ul style="list-style-type: none"> - The temporary laydown area (a maximum laydown of less than 2ha may for operational requirements); - The contract site camp; - Temporary water storage ponds; - Overburden spoil sites; - Temporary haul roads; - Batching areas; and <p>All other areas within the PV array and adjacent to buildings that have been compacted or impacted by any of the construction activities.</p>

Comment	Response
<p>Your understanding is correct, the EAP is required to approach our directorate if the proposed development falls within or is adjacent to a protected area in terms of NEM:PAA (i.e. 10km from National Parks and 5km from Nature Reserves).</p> <p>However, if the proposed development is for a Wind Energy Facility within 50km of a National Park or IBA, the EAP is also required to approach the Directorate.</p>	<p>I am seeking guidance as to when an EAP should approach the protected areas directorate for comment on an EIA process.</p> <p>My understanding is that if the proposed development falls within or is adjacent to a protected area in terms of NEM:PAA, then we should request comment from the protected areas directorate.</p> <p>Please could you confirm whether my understanding is correct in this regard?</p>
<p>Thea Jordan: Director: Development Facilitation, Department of Environmental Affairs and Development Planning, Western Cape Government – 08 April 2024</p>	
<p>Directorate: Development Management (Region 1) – Mr Kraigen Govindasamy (Email: Kraigen.Govindasamy@westerncape.gov.za; Tel.: (021) 483 2804):</p>	
<p>3. This Directorate's comments on the DSR with respect to the applicable listed activities must be addressed and included in the Final EIA Report. (In this regard, please also refer to paragraph 19 below.)</p>	<p>Please refer to the response under paragraph 19 below with regards to justification of the listed activities associated with the Storage and Storage and Handling of Dangerous goods.</p>
<p>4. The recommended buffer areas proposed in the Aquatic Site Sensitivity Analysis Report prepared by Ms Toni Belcher dated September 2023 must be incorporated in the final site layout plan and the environmental sensitivities map. The recommended buffers and no-go areas (i.e., wetlands) must further be included in the activity description and as required mitigation measures in the Environmental Management Programme ("EMPr").</p>	<p>The proposed PV Footprint, BESS and all associated infrastructure associated with the preferred mitigated alternative (Layout Alternative 5) completely avoids the aquatic features and their associated buffers. The legend on the site layout plan has been amended to include the buffer distance.</p> <p>The project description on page v has been updated to confirm that no activities may take place within 50m from the delineated edge of the depression wetlands and the floodplain of the Berg River Estuary.</p> <p>This requirement is also included as a recommended condition of authorisation in section 7 of the EIR.</p>
<p>5. The recommended no-go areas proposed in the Visual Impact Assessment ("VIA") prepared by Visual Resource Management Africa cc dated 15 February 2023 must be incorporated in the final site layout of the proposed development. This should also be demarcated on the proposed development areas of the preferred layout alternative and included in the activity description and EMPr.</p>	<p>The Visual buffers are included on the site layout plan in appendix D. It is important to note that the visual specialist has defined two buffers from the R399. The first is a 200m buffer from where no infrastructure (with the exception of an access road is allowed). The second is a 500m buffer where PV infrastructure only is allowed and subject to a maximum height of 2.5m and screening (in the form of a berm or windrows) mitigation. The visual setback lines and the windrow and berm screening are reflected on the site layout plan in Appendix D.</p> <p>The project description on page v has been updated to confirm that all PV infrastructure within 500m of the R399 must have a maximum height of 2.5m and must be screened with berms and windrows as identified in the Site Layout Plan.</p> <p>This requirement is also included as a recommended condition of authorisation in section 7 of the EIR.</p>

Comment	Response
6. This Directorate's comment on the DSR with respect to the consideration of the Greater Saldanha Area Environmental Management Framework must be addressed and included in the Final EIA Report.	This is discussed in section 3.4.18 of this EIR. According to the Screening Tool Report, the proposed Sunveld Solar PV and BESS does not intersect with the EMF for the Greater Saldanha Area.
7. It is noted that a Site Sensitivity Verification Report ("SSVR") has been included as Appendix I of the Draft EIA Report. However, the SSVR is undated and the details of the author of the SSVR are not provided. The SSVR must be updated accordingly and provided with the Final EIA Report.	The SSVR in Appendix I of the EIR has been updated to indicate the Author and has been signed.
8. The potential cumulative impacts associated with similar renewable energy development proposals located within a 30km radius of the proposed site, including, inter alia, the Dwarskersbos solar photovoltaic ("PV") facility (on Portion 3 and the Remaining Extent of Farm Groeneveld No. 108, and Portion 11 of Farm Weglooperheuwel No. 116, Dwarskersbos) and the Velddrif solar PV facility (on Portion 2 of the Farm No. 90, Portion 4 of the Farm No. 91, Farm Cloeteskraal No. 92, Remaining Extent of Farm No. 1196, Portion 1 of Farm No. 1051, and Portion 1 of Farm No. 1052, Velddrif) must be considered and reported on in the Final EIA Report.	<p>The cumulative impact has been considered for all other renewable energy developments within a 30km radius of the proposed Sunveld Solar and BESS as per the Map in appendix D1. The following other projects have been considered as part of the cumulative assessment:</p> <ol style="list-style-type: none"> 1. Aurora Rietvlei Solar Power 2. Dwarskersbos Solar Salika 3. Velddrif Solar Salika 4. Renfields Solar 5. Vredenberg Wind Farm 6. Aurora Wind Power 7. Noitgedacht PV 8. Karpowership SA 9. Soventix Power 10. Electrawinds Seeland 11. Clifton Dunes 12. Exxaro Resources. <p>Please refer to section 6.10 of the EIR for the assessment of cumulative impacts.</p>
9. Heritage Western Cape's response to the Heritage Impact Assessment ("HIA") compiled by ASHA Consulting (Pty) Ltd dated 16 February 2024 and the VIA must be included in the Final EIA Report.	The Heritage Specialist Dr Jayson Orton, confirmed that the Final HIA is only submitted to HWC after the consultation period on the Draft EIR. The reason being, is that the consultation on the Draft BAR provided stakeholders identified by HWC (West Coast Fossil Park and Heritage Officer at the Berg River Municipality) with an opportunity for comment on the EIR, including the Heritage Impact Assessment. The HIA with details of this stakeholder engagement process has now been submitted by the Heritage Specialist to HWC for comment in terms of Section 38(8) of the National Heritage Resources Act.
10. Comment from the Western Cape Government Department of Agriculture with respect to the Site Sensitivity Verification and Agricultural Compliance Statement	The Western Cape Department of Agriculture were provided with an opportunity to comment on both the Draft Scoping Report as well as the Draft Environmental Impact Report.

Comment	Response
compiled by Mr Johann Lanz dated 14 September 2023 must be obtained and included in the Final EIA Report to be submitted to the competent authority.	At the time of submission of the Final EIR, comment had not been received from the Department of Agriculture. The Department of Agriculture will have a further opportunity to provide comment and input to the proposed development as part of the Land Use Planning Application.
11. Comment from CapeNature with respect to the Terrestrial Biodiversity, Plant and Animal Species Theme Impact Assessment prepared by Biodiversity Africa dated February 2024, and the Faunal Compliance Statement compiled by Terrestrial Ecologist & Faunal Surveys and Birding Africa dated September 2023 must be obtained and included in the Final EIA Report to be submitted to the competent authority. Please further note that comments from BirdLife South Africa must be obtained on the adequacy of the Avifaunal Impact Assessment compiled by AfriAvian dated February 2024.	Cape Nature was provided with an opportunity to comment on both the Draft Scoping Report as well as the Draft Environmental Impact Report. At the time of submission of the Final EIR, comment had not been received from Cape Nature. The DFFE Biodiversity Conservation Directorate did however comment on the Draft Scoping Report. Two separate officials from BirdLife Africa were provided with an opportunity to comment on both the Draft Scoping Report as well as the Draft Environmental Impact Report. At the time of submission of the Final EIR, comment had not been received from Birdlife Africa.
12. Proof of the public participation process undertaken must be included in the Final EIA Report. The proof must include comments received from the commenting authorities and from other interested and affected parties, together with the EAP's responses made to the comments.	A summary of the public participation is included in section 8 of this report. Proof of comments received from commenting authorities as well as other I&AP's is included in Appendices F5 and F7 and the EAPs responses thereto are included in the comments and Responses report in Appendix F2.
Directorate: Development Facilitation – Ms Adri La Meyer (Email: Adri.Lameyer@westerncape.gov.za; Tel.: (021) 483 2887):	
13. This Directorate's comments on the DSR requested that the specialists' assessments and the Draft EIA Report provide a map and an assessment of cumulative impacts for all renewable energy projects within a 30km radius of the proposed site. It is however noted that not all the specialists' assessments included a map of renewable energy projects, and/or an assessment of cumulative impacts. For example, the Faunal Compliance Statement did not include a map or cumulative impact assessment; and the VIA and Agricultural Compliance Statement included a description of cumulative impacts but no maps. Figure 55 of the Draft EIA Report (renewable energy facilities within proximity of the proposed Sunveld solar PV) matches Figure 13 of the Avifaunal Impact Assessment, but it is difficult to determine if it corresponds to Figure 8.1 of the Terrestrial Biodiversity, Plant and Animal Species Theme Impact Assessment. In the absence of all specialists employing the same map or description of renewable energy facilities within a 30km radius of the proposed site, the cumulative impact assessment ratings for all the themes as provided in the Draft EIA Report remain inconclusive. 14. Please indicate the size (in ha) for each of the proposed 7 solar PV development areas. The Avifaunal Impact Assessment noted that the "solar PV 1 area has been reduced from 241 ha initially, to 51 ha to reduce the impact on Black Harrier habitat". The size of the other 6	Please note that the protocol for the specialist assessment and minimum report content requirements for Environmental impacts on terrestrial animal species in GN 1150 does not require a cumulative impact assessment to form part of an Animal Species Compliance Statement. The same applies to the protocol for the assessment and reporting of environmental impacts on agricultural resources, which does not require that a cumulative impact assessment form part of a compliance statement (in this instance however, the specialist did consider cumulative impacts). The Visual and Terrestrial Biodiversity specialists have updated the cumulative maps to align with those depicted in Figure 55 of the Draft EIR. The size of the 7 PV Areas are as follows. <ul style="list-style-type: none"> - PV1 51.13ha - PV2 53.64ha - PV3 166.1ha - PV4 85.83ha - PV5 153.95ha - PV6 88.92ha - PV7 102.1ah

Comment	Response																																												
<p>solar PV development areas has however not been indicated elsewhere in the Draft EIA Report or other specialists' assessments.</p>	<p>The reduction in footprint PV1 area represented the largest reduction undertaken to avoid Black Harrier Habitat. There were smaller reductions in other PV areas (to avoid the Black Harrier habitat) as well as increase in footprint of others where black harrier habitat was not a concern. Please refer to the table below for a summary of these changes:</p> <table border="1" data-bbox="1090 347 1865 1209"> <thead> <tr> <th data-bbox="1090 347 1218 485">PV Areas</th> <th data-bbox="1218 347 1480 485">Preferred Mitigated Footprints</th> <th data-bbox="1480 347 1666 485">Alternative 2 Footprints</th> <th data-bbox="1666 347 1865 485">Areas excluded to Avoid Sensitivities</th> </tr> </thead> <tbody> <tr> <td data-bbox="1090 485 1218 549">PV1</td> <td data-bbox="1218 485 1480 549">51.13</td> <td data-bbox="1480 485 1666 549">240.71</td> <td data-bbox="1666 485 1865 549">189.58</td> </tr> <tr> <td data-bbox="1090 549 1218 612">PV2</td> <td data-bbox="1218 549 1480 612">53.64</td> <td data-bbox="1480 549 1666 612">78.56</td> <td data-bbox="1666 549 1865 612">24.92</td> </tr> <tr> <td data-bbox="1090 612 1218 676">PV3</td> <td data-bbox="1218 612 1480 676">166.1</td> <td data-bbox="1480 612 1666 676">232.74</td> <td data-bbox="1666 612 1865 676">66.64</td> </tr> <tr> <td data-bbox="1090 676 1218 740">PV4</td> <td data-bbox="1218 676 1480 740">85.83</td> <td data-bbox="1480 676 1666 740">52.33</td> <td data-bbox="1666 676 1865 740">-33.5</td> </tr> <tr> <td data-bbox="1090 740 1218 804">PV5</td> <td data-bbox="1218 740 1480 804">153.95</td> <td data-bbox="1480 740 1666 804">113.77</td> <td data-bbox="1666 740 1865 804">-40.18</td> </tr> <tr> <td data-bbox="1090 804 1218 868">PV6</td> <td data-bbox="1218 804 1480 868">88.92</td> <td data-bbox="1480 804 1666 868">65.79</td> <td data-bbox="1666 804 1865 868">-23.13</td> </tr> <tr> <td data-bbox="1090 868 1218 932">PV7</td> <td data-bbox="1218 868 1480 932">102.1</td> <td data-bbox="1480 868 1666 932">139.88</td> <td data-bbox="1666 868 1865 932">37.78</td> </tr> <tr> <td data-bbox="1090 932 1218 1043">PV8 (added to PV4)</td> <td data-bbox="1218 932 1480 1043">0</td> <td data-bbox="1480 932 1666 1043">49.72</td> <td data-bbox="1666 932 1865 1043">49.72</td> </tr> <tr> <td data-bbox="1090 1043 1218 1145">PV9 (abandoned)</td> <td data-bbox="1218 1043 1480 1145">0</td> <td data-bbox="1480 1043 1666 1145">187.69</td> <td data-bbox="1666 1043 1865 1145">187.69</td> </tr> <tr> <td data-bbox="1090 1145 1218 1209">TOTALS</td> <td data-bbox="1218 1145 1480 1209">701.67</td> <td data-bbox="1480 1145 1666 1209">1161.19</td> <td data-bbox="1666 1145 1865 1209">459.52</td> </tr> </tbody> </table> <p>As can be seen in the table above, the original proposed footprint was reduced by approximately 459 ha in order to avoid sensitivities.</p>	PV Areas	Preferred Mitigated Footprints	Alternative 2 Footprints	Areas excluded to Avoid Sensitivities	PV1	51.13	240.71	189.58	PV2	53.64	78.56	24.92	PV3	166.1	232.74	66.64	PV4	85.83	52.33	-33.5	PV5	153.95	113.77	-40.18	PV6	88.92	65.79	-23.13	PV7	102.1	139.88	37.78	PV8 (added to PV4)	0	49.72	49.72	PV9 (abandoned)	0	187.69	187.69	TOTALS	701.67	1161.19	459.52
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<p>15. Further to the above, the Draft EIA Report failed to indicate in the section dealing with the consideration of alternatives, how the solar PV development areas have changed since the initial layout (layout alternative 3) presented in the DSR, to the</p>	<p>Please refer to section 2.11.1 of the EIR, which outlines how the proposed development footprint has changed from the initial development area to the preferred mitigated Alternative (Layout Alternative 5).</p>																																												

Comment	Response
<p>preferred layout alternative (layout alternative 5) in the Draft EIA Report. Reference is merely made to “As discussed above the scoping phase preferred layout went through a further two iterations and the final mitigated preferred layout (Layout Alternative 5) was developed. The key differences between the Layout alternative 3 (Scoping Preferred) and Layout Alternative 5 (Mitigated Preferred) is the exclusion of some further areas to address visual concerns as well as the addition of some visual screening that was recommended by both the Heritage and the Visual Specialists.” No mention is made of the avifaunal specialist’s recommendation to reduce solar PV development area 1 to reduce the impact on the Black Harrier habitat.</p>	<p>Table 6 in section 2.11.5 details exactly how layout alternative 5 was adapted to avoid sensitivities, inter alia the reduction of development area to reduce the impact on Black Harrier Habitat.</p> <p>As outlined in the table above, the Scoping Level Layout was reduced by approximately 459ha to avoid various environmental sensitivities, the most notable was the black harrier habitat.</p>
<p>16. It is not apparent from the Draft EMPr that all the recommendations and mitigation measures of the various specialists have been included. For example, the mitigation measures of the HIA: “Paint structures in earthy tones where technically feasible to minimise contrast” and “pre-construction survey of the PV footprint should be carried out to check for newly exposed archaeological sites” have not been included in the EMPr. Low berms of 2.5m to be constructed and vegetated with local Strandveld vegetation are recommendations of both the HIA and VIA that must be clearly specified in the EMPr. It is crucial that all the required recommendations and mitigation measures of the various specialists be included in the EMPr as they affect the impact significance post-mitigation, and not simply be indicated as refer to specialist impact assessment as is currently indicated.</p>	<p>These are included in section 7 of the EIR. The EMPr has been updated to include the Environmental Impact management outcomes and actions as well as mitigation measures identified in section 7 of this report. The EMPr has been updated to include these outcomes, actions and mitigation measures in sections 5.25(construction phase), 6.7 (operational phase) and 14.4 (decommissioning).</p>
<p>17. Please indicate if the recommendation of the avifaunal specialist that “a 100m Solar Panel Exclusion Zone should be implemented and maintained around the Jackal Buzzard nest located within the Project Site to reduce the risk of species displacement due to disturbance and to reduce the risk of possible collisions with the solar panels” has been incorporated in the preferred site layout.</p>	<p>The 100m Jackal Buzzard nest buffer is included on the site layout plan in appendix D (no PV infrastructure is within this buffer area.</p> <p>The project description on page v has been updated to confirm that no PV infrastructure may be constructed within 100m of the identified Jackal Buzzard Nest.</p> <p>This requirement is also included as a recommended condition of authorisation in section 7 of the EIR.</p>
<p>18. In terms of provincial legislation (section 3.2 of the Draft EIA Report), please include reference to the Western Cape Climate Change Response Strategy: Vision 2050 (2022)</p>	<p>The Western Cape Climate Change Response Strategy: Vision 2050 (2022) has been considered and included in section 3.4.19 of the Final EIR. The proposed Sunveld Solar PV and BESS will assist in the achievement of Key objective 2 of the Strategy, which proposes a massive shift from fossil fuel-based energy to renewable energy sources.</p>
<p>19. It is noted that the Draft EIA Report still includes Activity 14 of Listing Notice (“LN”) 1, Activity 4 of LN 2, and Activity 10 of LN 3 of the EIA Regulations, 2014 (as amended) in relation to the development of facilities for the storage and/or handling of dangerous goods in containers. It is again reiterated that not all the mentioned listed activities will be applicable, depending on the volume of dangerous goods that will be stored and/or</p>	<p>The EIR proposes three different BESS Technologies that could be deployed as part of the project, these are:</p> <ol style="list-style-type: none"> 1. Solid State Technologies.(e.g. Lithium Ion technologies) 2. Redox Flow Technologies (e.g. Vanadium Redox Flow – VRB)

Comment	Response
<p>handled in containers. The correct listed activity must be identified in the Final EIA Report and an amended application form must be submitted to the competent authority.</p>	<p>3. Liquid Metal Technologies (e.g. Ambri). All three technologies have been found to be acceptable, subject to the implementation of certain setbacks (already incorporated into the Preferred Layout) and the implementation of certain Management and Mitigation measures (as outlined in the BESS Risk Assessment in Appendix EA). The applicant intends deploying either one, or a combination of the technologies. Depending on the final configuration of the Battery Technologies deployed, Activity 14 of Listing Notice ("LN") 1, Activity 4 of LN 2, and Activity 10 of LN 3 of the EIA Regulations, 2014 could all be triggered. For example (worst case) – If ALL batteries deployed are non-containerised Vanadium Redox Flow Technologies then Activity 4 in listing notice 2 will be triggered (as the total electrolyte for all 2.4GWh of batteries would be approximately 192000 cubic meters – which exceeds the 500 cubic metres in Activity 4 in listing notice 2). If a combination of technologies are deployed (i.e. some constituting the Storage and Handling of Dangerous Goods and others not) then volumes could either trigger Activity 14 of Listing Notice 1, or Activity 10 of LN 3 of the EIA Regulations – depending on the final configuration of technologies. Furthermore, please note that the Activities associated with the development of infrastructure within 32m of a watercourse have been removed from the application (this was done, as the Preferred Layout, Layout Alternative 5, does not propose any infrastructure within 32m of the watercourse)</p>
<p>20. The Draft EIA Report indicates that Activity 11 of LN 1 of the EIA Regulations, 2014 (as amended) is triggered due to "two on site substations will have a capacity of up to 300MVA each" and the development of two 132kV powerlines from the on-site substations to the grid. It is unknown whether 300MVA is less than 275kV, as the electricity measuring units differ. Please be advised to consider the applicability of Activity 9 of LN 2 of the EIA Regulations, 2014 (as amended) for the two on-site substations.</p>	<p>This activity is applicable. Electricity will be transmitted from the PV arrays via 33kV underground powerlines, to the two On-Site / Facility Substations. At the On-Site / Facility Substations the 33kV electricity will be transformed to 132kV. There will be no infrastructure for the Transmission and Distribution of Electricity that will exceed 275kV and as such Activity 9 in Listing Notice 2 is not applicable. Thank you for notifying us of this uncertainty.</p>
<p>21. General comments:</p>	
<p>21.1. Correct the numerical error on page 2 of the Draft EIA Report stating that "twenty-eight (24) of the 64 projects (38%) have individually exceeded their P50 projections."</p>	<p>Thank you for notifying the EAP of the numerical error. This numerical error in section 1.2 on page 2 has been corrected.</p>
<p>21.2. Correct reference to the Berg River Local Municipality Spatial Development Framework (2091-2024).</p>	<p>Thank you for notifying the EAP of the error with the reference. This reference error in section 3.3.2 has been corrected.</p>

Comment	Response
<p>Directorate: Pollution and Chemicals Management – Ms Shehaam Brinkhuis (Email: Shehaam.Brinkhuis@westerncape.gov.za; Tel.: (021) 483 8309):</p>	
<p>22. All surface infrastructure, such as solar PV arrays, substations, battery energy storage systems (“BESS”) and construction camps, should be located outside of the designated buffer areas, most notably sensitive watercourses.</p>	<p>As indicated in the BESS Risk Assessment (appendix E8), the BESS infrastructure has been positioned in such a way that it is not within 400m of a surface water resource.</p>
<p>23. The utilisation of cleaning chemicals on solar PV panels may pose a risk of contamination and pollution to water resources. Care should be taken to implement mitigation measures to reduce this. It is recommended that all cleaning products used on the site must be environmentally friendly and biodegradable.</p>	<p>In compliance with the EMPr 6.1 of the EMPr, cleaning of PV panels must take place using either biodegradable soaps, water only or waterless methods.</p>
<p>24. The following recommendations are provided with respect to the proposed 2 BESS's, to prevent and manage potential contamination of water resources, including groundwater, emanating from the site during the construction, operational and decommissioning phases:</p> <p>24.1. Compilation and adherence to a procedure for the safe handling of battery cells.</p> <p>24.2. Lithium-ion batteries must have battery management systems (containment, automatic alarms and shut-off systems) to monitor and protect cells from overcharging or damaging conditions.</p> <p>24.3. Compilation of an emergency response plan for implementation in the event of a spill or leakage.</p> <p>24.4. Provision of spill kits on-site for clean-up of spills and leaks.</p> <p>24.5. Immediate clean-up of spills and disposal of contaminated absorbents and materials or soil at a licensed hazardous waste disposal facility.</p> <p>24.6. Recording and reporting of all electrolyte spills or leaks so that appropriate clean-up measures can be implemented. A copy of these records must be made available to authorities on request throughout the project lifecycle.</p> <p>24.7. Frequent and appropriate disposal of both general and hazardous waste to prevent pollution of soil and groundwater.</p> <p>24.8. On-site battery maintenance should only be undertaken on impermeable surfaces with secondary containment measures. Any resulting hazardous substances must be disposed of appropriately.</p> <p>24.9. Provision of suitable emergency and safety signage on-site, and demarcation of any areas which may pose a safety risk (including hazardous substances). Emergency numbers for the local police, fire department, Eskom and the local municipality must be placed in a prominent, clearly visible area onsite.</p>	<p>All these recommendations by the Department (as well as technology specific impact management actions and mitigations) are included in the BESS Risk Assessment compiled by ISHEcon. This risk assessment forms part of the EMPr for the facility and as such, the applicant will be legally mandated to comply with these.</p>

Comment	Response
25. Please amend the EMPr to include reference to section 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) pertaining to the control of incidents. In the event of a significant spill or leak of hazardous substances (e.g. petrol, diesel, etc.) used during the proposed activities, such an incident(s) must be reported to the relevant authorities, including this Directorate, in accordance with section 30 of the NEMA, 1998.	The EMPr has been amended to include the Departments Guidelines on the administration of incidents, As described in section 30 of the National Environmental Management Act, 107 of 1998. Please refer to G of the EMPr attached in Appendix H of the FEIR.
26. Please note that the comments and recommendations do not pre-empt the outcome of the application. No information provided, views expressed and/or comments made by officials should in any way be regarded as an indication or confirmation that additional information or documents will not be requested; or of the outcome of the application submitted to the competent authority.	The EAP and applicant are aware of this assumption and are aware that no activities may take place until such time as an environmental authorisation is granted by the competent authority.
27. The applicant is reminded of its “general duty of care towards the environment” as prescribed in section 28 of the NEMA, 1998 which states that “Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment”.	This is understood by the EAP and Applicant. The general duty of care as outlined in section 28 of NEMA forms the basis of the Environmental Impact Management Outcomes and Actions defined in the EMPr (Appendix 8).
28. The Department reserves the right to revise initial comments and request further information based on any or new information received.	The Final EIR has been submitted to the competent authority for decision making. Should DEA&DP provide additional comments during the decision making process, the EAP commits to submit these to the competent authority in order to inform the decision making process.
Mr Lunga Dlova: Directorate: Integrated Environmental Authorisation, DFFE – 08 April 2024.	
(a) Specific comments	
(i) Comments from all other developers surrounding the development must be obtained and included in the final EIAr.	The details of the project developers are not public knowledge, as they are generally done under the name of an SPV and such SPV may be represented by a project developer, EPC or other party. Furthermore, developers may have option agreements on adjacent land, without having commenced with an EIA process. Adjacent landowners were however notified of the availability of the relevant reports. Should any of these land owners have option agreements with project developers, it is the responsibility of the landowner to inform whomever has an option to the land.
(ii) The recommendations provided by the specialist reports must be considered and used to inform the preferred layout alternative.	Please refer to section 2.11.1 and specifically sections 2.1.11.3 and 2.1.11.5 which details how the recommendations of the specialists have been used to inform the Mitigated Preferred Alternative (Layout Alternative 5).
(iii) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.	The guidelines considered in the preparation of this Report are detailed in section 3.4. These have been utilised to inform the mitigation measures and environmental impact

Comment	Response
	management objectives outlined in this report. To the EAP's best knowledge, these are the most applicable and recent guidelines.
(iv) You are further reminded that the final EIAr to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of the EIAr in accordance with Appendix 3 of the EIA Regulations, 2014 as amended.	Please refer to the table on the preceding pages which shows how the final EIR complies with the requirements of Appendix 3 of the EIA Regulations, 2014 as amended.
(v) Please provide a concise, but complete, summary and bullet list of the project description and associated infrastructure (or project scope) to be included in the decision (or as it should appear in the decision), should a positive Environmental Authorisation be granted. This must include a list of all development components and associated infrastructure.	This is included on pg (iv) and (v) at the beginning of this report as well as in section 2 of this report.
(vi) The final EIAr must comply with all the conditions of the acceptance of the SR signed on 08 December 2023 and must address all comments contained in the final SR, the draft EIAr and this letter.	Please refer to the table on pg (xi) above detailing how this report complies with the requirements in the Acceptance of the Final Scoping Report, dated 08 December 2023. This table details compliance with the requirements in the Departments comment on the Draft Environmental Impact Report of dated 08 April 2024.
(vii) The final EIAr must clearly provide a detailed section which addresses the site sensitivity verification requirements where a specialist assessment is required but no specific assessment protocol has been prescribed as well as the site sensitivity verification and minimum report content requirements for all specialist assessments undertaken which was included in the screening tool report.	The site sensitivity verification report SSVR is attached in Appendix I and site sensitivities are discussed in section 2.11.1.3. Discussion of the DFFE screening tool and protocols are included in section 3.4.17.
(b) Listed Activities	
(i) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.	All listed activities relevant to the project and which have been applied for are included in section 3.1.2. These activities are all triggered by the components listed in section 2 of the report. Please also see the response to DEA&DP below for justification for Activity 19 in listed Notice 1 being included in the application.
(ii) The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the final EIAr.	The final list of all applicable listed activities is included in section 3.1.2. No activities have been removed from the Final EIR.
(i) Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.	The activities and sub-activities discussed in this Final EIR have been checked and confirmed to be correct.
(ii) If the activities applied for in the application form differ from those mentioned in the final EIAr, an amended application form must be submitted. Please note that the	The activities associated with the construction of infrastructure within 32m of a watercourse have been removed from the application (This was done, as the preferred mitigated layout, layout

Comment	Response
Department's application form template has been amended and can be downloaded from the following link https://www.dffe.gov.za/documents/forms .	alternative 5, does not propose any infrastructure within 32m of the any watercourse). The descriptions of the activities have however been clarified (particularly in relation to the storage of dangerous goods) in this final EIR. A revised application form is included in Appendix J.
(iii) It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.	The Western Cape Department of Environmental Affairs and Development Planning, as the relevant authority for activities listed in GN R. 985 in the Western Cape, have provided comments on both the Draft Scoping Report as well as the Draft Environmental Impact Report. Please refer to the table below for these comments as well as the responses thereto. A graphical representation of the proposed development within the respective geographical areas (most notably areas identified in the Western Cape BSP and Listed Ecosystems) is included in Appendix B.
(iv) The final EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.	Please refer to section 6 of this Final EIR.
(c) Public Participation Process	
(i) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations, 2014, as amended.	Please refer to section 8 of this report (read in conjunction with appendix F) for details of compliance with Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations, 2014, as amended.
(ii) Comments must be obtained from this Department's Biodiversity Conservation Directorate.	Comments were received from Department's Biodiversity Conservation Directorate on both the Draft Scoping Report and Draft Environmental Impact Report. These comments and the responses thereto are included in the table below.
(iii) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the National and Western Cape Department of Agriculture, the Department of Agriculture, the Department of Water and Sanitation (DWS), Berg River Local Municipality, Heritage Western Cape (HWC), the Southern Africa Large Telescope (SALT), Meerkat and Square Kilometre Array (SKA), Department of Minerals and Energy, Endangered Wildlife Trust., Cape Nature, Birdlife South Africa., SANParks – West Coast National Park, Department of Environmental Affairs and Development Planning (Western Cape), South African Heritage Resources Agency, the Department of Forestry, Fisheries and the Environment: Directorate Biodiversity and Conservation at BCAdmin@dffe.gov.za, and the Directorate Protected Areas at Tnethononda@dffe.gov.za.	<p>All comments received during the comment period on both the Draft Scoping Report as well as the Draft Environmental Impact Report are included in Appendix F. Please also refer to the comments and responses report attached in Appendix F2.</p> <p>Please note that the DFFE Protected Areas Directorate has confirmed that they will only comment on projects that are:</p> <ul style="list-style-type: none"> - Within a protected area defined in NEMPAA - Within 5km of a provincial nature reserve or private nature reserve defined in NEMPAA <p>Within 10 Km of a National Park.</p>
(iv) Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered Interested and Affected Parties (I&APs) and organs of state (including this Department's Biodiversity and Protected Area Sections), as listed in your I&APs Database, and others that have jurisdiction in respect of the	Please refer to the comments and responses report attached in Appendix F2. All comments received as well as the responses thereto are captured in this document. All comments have been captured verbatim and have been responded to. Original copies of all comments received are included in Appendix F7.

Comment	Response
proposed activity are adequately addressed and included in the final EIAr and are incorporated into a Comments and Response Report (CRR).	
(v) Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final EIAr.	Please refer to Appendix F7.
(vi) Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. In terms of Regulation 41(2)(b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the EIAr for comment.	Proof of all correspondence with stakeholders during the scoping phase of the Environmental Process are attached in Appendix F4. Proof of all correspondence with stakeholders during the impact Assessment phase of the Environmental Process are attached in Appendix F7.
(vii) The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.	The comments and responses report in the format prescribed in annexure 1 is attached in Annexure F2.
(viii) Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to I&AP’s comments.	All I&AP comments in the comments and responses report are copied verbatim and have been responded to in detail.
(ix) Minutes and attendance registers (where applicable) of any physical/virtual meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final EIAr.	No Virtual or physical meetings were held with Interested and Affected Parties in respect of this application. During the two comment periods associated with this application, no Stakeholders or I&APs indicated the need for a meeting.
(d) Layout & Sensitivity Maps	
(i) The final EIAr must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.	The co-ordinates of all bend points for the PV areas, centre points for the facility substation and BESS as well as start, middle and end points for all linear activities are included in the tables on pages vi – viii above.
(ii) A copy of the final layout map must be submitted with the final EIAr. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible, e.g. roads. The layout map must indicate the following: a) The envisioned area for the infrastructure, i.e. placing of infrastructure and all associated infrastructure should be mapped at an appropriate scale. b) Location of panels and inverters; c) All supporting onsite infrastructure required such as laydown areas, roads etc. (existing and proposed);	The final site development map, indicating all content requirements from the Department is included in Appendix D. Please note that all 33kV powerlines between the PV components and the substation / BESS are underground and as such pylon positions are not indicated. The 132kV EGI pylon positions have been assessed as part of the Separate EGI environmental process that is being administered by the Western Cape Department of Environmental Affairs and Development Planning.

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d) Substation(s) and/or transformer(s) sites including their entire footprint; e) Connection routes (including pylon positions) to the distribution/transmission network; and f) All necessary details regarding all possible locations and sizes of the infrastructure. g) All existing infrastructure on the site, especially internal road infrastructure.	
(iii) Please provide an environmental sensitivity map which indicates the following: a) The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines, nest and roosting sites, etc. that will be affected by the facility and its associated infrastructure; b) Buffer areas; and c) All “no-go” areas.	The environmental sensitivity map indicating all desktop sensitivities (i.e CBA’s Vegetation Types, Protected Areas etc) is attached in Appendix B. The site specific sensitivity map (i.e. those sensitivities identified by the participating specialists is included in Appendix D.
(iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.	The layout map in relation to all renewable energy developments within a 30km radius is attached in Appendix D1.
(v) Google maps will not be accepted.	All maps includes in Appendix B and D are GIS Level maps. Google maps are only utilised in text when discussing a specific aspect or impact.
(e) Cumulative Assessment	
(i) Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following: a) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land. b) Detailed process flow and proof must be provided, to indicate how the specialist’s recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development. d) A cumulative impact environmental statement on whether the proposed development must proceed.	Please refer to the Cumulative Impact Assessment included in Section 6.10 of this report. The cumulative impacts range from Medium negative to High positive and no High and very High cumulative impacts are expected. This is considered to be acceptable on a regional scale. Due to the limited capacity at the Aurora MTS and the highly competitive bid process, it is a reasonable assumption that not all the projects in the area will be developed.
(f) Specialist Assessments	
(i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:	The terms of reference for the specialists studies does include the requirement to detail the studies methodology and the limitations of the study.

Comment	Response
<p>a) A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisation.</p> <p>b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.</p> <p>c) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.</p> <p>d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.</p> <p>e) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.</p> <p>f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p>	<p>The specialists and EA understanding of a no-go area is the same as the Departments. All specialist assessments are final and do not recommend any further assessments post EA. The only studies that have been recommended to occur post EA are those that are required to inform other legislative processes that can only take place post EA.</p>
<p>(ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p>	<p>No contradicting recommendations have been recommended by different specialist disciplines. During the scoping phase of the environmental process, an alignment workshop was held between the EAP and all specialists to ensure that all recommendations align.</p>
<p>(iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols") and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.</p>	<p>The attached Terrestrial Biodiversity Assessment (which includes plant and animal species assessments), Invertebrate Species Assessment, Avifaunal Assessment, Aquatic assessment and the Agricultural Assessment have all been undertaken in terms of the Minimum Criteria for Reporting in identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act.</p>
<p>(iv) Please also ensure that the final EIAR includes the Site Verification Report and Compliance Statements (where applicable) as required by the relevant themes.</p>	<p>The Site sensitivity verification report is attached in Appendix I along with the Screening Tool Report. All compliance statements and Impact Assessments are included in Annexures E1 – E9.</p>
<p>(v) Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered. Please ensure that the relevant specialist certificates are attached to the relevant reports.</p>	<p>Noted. The proof of SACNASP registration of the Terrestrial Biodiversity, Invertebrate Species Specialist, Avifaunal Specialist, Aquatic Biodiversity and Agriculture Specialist are included in Appendix E1, E2, E3, E4 and E6 Respectively.</p>

Comment	Response
(g) Specialist Declaration of Interest	
(i) Specialist Declaration of Interest forms must be attached to the final EIAr. You are therefore requested to submit original signed Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on Department's website (please use the Department's template).	Signed Declarations of independence are included in the respective specialist assessments in Appendix E1 – E9 and in Appendix G4.
(h) Undertaking of an Oath	
(i) Please note that the final EIAr must have an undertaking under oath/ affirmation by the EAP.	Please refer to Appendix G3 for an Affirmation by the EAP.
(ii) Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended, which states that the EIAr must include: "an undertaking under oath or affirmation by the EAP in relation to: (i) the correctness of the information provided in the reports; (ii) the inclusion of comments and inputs from stakeholders and I&APs; (iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and (iv) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties".	Please refer to Appendix G3 for an Affirmation by the EAP. This is provided on the Departments Template.
(i) Details and Expertise of the EAP	
(i) You are required to include the details and expertise of the EAP in the EIAr, including a curriculum vitae, in order to comply with the requirements of Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	The EAP's CV and Valid EAPASA registration certificate is attached in Appendix G3 along with the affirmation of independence.
(j) Environmental Management Programme	
(i) Please ensure that all the sections of the generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) are adequately completed, is signed and dated on submission of the final report over and above the EMPr for the facility.	The Generic EMPr for substation infrastructure appended to the EMPr in Appendix H has been completed and duly signed by the applicant.
(ii) The EMPr must also include the following: a) All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted. b) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	The environmental sensitivity map has been attached in appendix A of the EMPr. All specialist recommendations have been duly incorporated into the relevant construction, operation and decommissioning sections of the EMPr attached in Appendix H.

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(iii) In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations, 2014, as amended.	Page 4 of the EMPr in Appendix H contains a checklist demonstrating compliance with Appendix 4 of the EIA Regulations, 2014, as amended.
(k) Environmental Impact Statement	
(i) An environmental impact statement must form part of the final EIAr and contain the following – a) a summary of the key findings of the environmental impact assessment; b) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and c) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.	Please refer to the Environmental Impact Statement in section 6.13 of the EIR. The impact summary is included in section 6.12 of the EIR.
(l) General	
The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions (Annexure 2).	The technical description in the format of Annexure 2 in the Departments letter is included on Pg iv. This format does however not provide for descriptions of all associated infrastructure. The Department is therefor requested to rather utilise the technical description table on page iv and v above,
Please also ensure that the final EIAr includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	Please refer to section 2.12 of the FEIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: <ul style="list-style-type: none">• Commencement of Construction Activities within 10 Year's from the date of the Environmental Authorisation. Completion of all non operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority - (a) an environmental impact assessment report inclusive of any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority."	This Final EIR has been submitted to the Department within the timeframes outlined in Regulation 23(1)(a)

Comment	Response
<p>Should there be significant changes or new information that has been added to the EIAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the documents contemplated in subregulation 1(a) will be submitted within 156 days of acceptance of the scoping report by the competent authority or where regulation 21(2) applies, within 156 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the documents, which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a), and that the revised documents contemplated in subregulation 1(a) will be subjected to another public participation process of at least 30 days".</p>	<p>No notification of extension in terms of section 23(1)(b) has been lodged.</p>
<p>Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p>	<p>This Final Environmental Impact report is submitted within the timeframes allowable by the Department.</p>
<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>	<p>The applicant and the EAP are aware of the requirements in terms of Section 24F.</p>
<p>Tebego Kgaphola: Directorate: Biodiversity Mainstreaming and EIA Branch: Biodiversity and Conservation, DFFE – 08 March 2024</p>	
<p>DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata and Ms Lindiwe Dlamini (Copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers.</p> <p>Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for attention of Mr Seoka Lekota</p>	<p>Kindly find attached KMZ of the preferred Layout (Layout Alternative 5)</p>
<p>Vanessa Stoffels: Road Use Management, Chief Directorate Road Planning, Roads Branch, Department of Infrastructure, Western Cape Government – 07 March 2024</p>	
<p>Your email to this Branch dated 6 March 2024 refers.</p> <p>This Branch's comments dated 30 October 2023 (attached) are still applicable</p>	<p>The Departments comment is recorded. And it is furthermore noted that detailed comment in terms of Traffic Issues Will be provided as part of the Land use Process.</p>

Comment

Response

Angila Joubert: Environmental Planning Management Officer Bergvriervier Municipality – 07 March 2022

1) As stated in the Draft Environmental Impact Report for Sunveld Solar PV Facility and BESS, dated 5 March 2024:

"5.4.3 Botanical Species of conservation concern.

According to the terrestrial biodiversity specialist, fifty-eight (58) species were recorded within the study site. Of these species, one was listed as Endangered (EN), two as Vulnerable (VU) and one as Near Threatened (NT).

These species were present within the near-intact vegetation except for a population of *Leucospermum rodolentum* (VU) which were found to occur within the secondary vegetation, north of the R399.

The specialist desktop assessment of the study site identified thirty-seven (37) threatened and near threatened species that could occur within the project area. Based on the results of the field survey, it was determined that of these thirty-seven (37) species, two (2) were confirmed to occur in the project area, ten (10) have a high likelihood of occurrence based on suitable available habitat being present, three (3) have a moderate likelihood of occurrence and twenty-four (24) have a low likelihood of occurrence.

Table 16: Assessment of the likelihood of occurrence of Species of Conservation Concern identified in literature as possibly occurring within the Study Site (Biodiversity Africa, 2024)."

Comment: Therefore there is a great loss in Saldanha Flat Strandveld, secondary vegetation and loss of plant species of conservation concern due to large extent of indigenous vegetation clearance. How will this be mitigated?

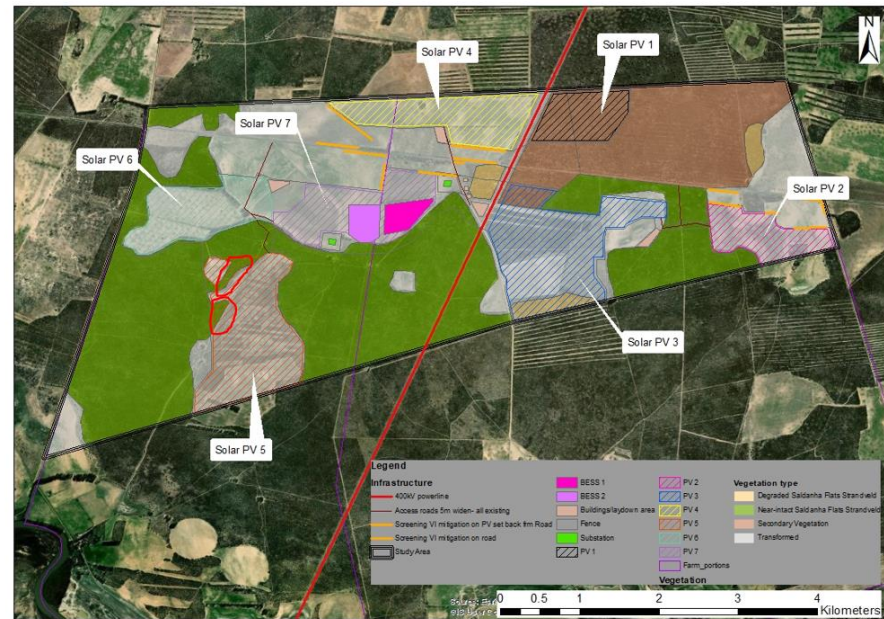
2) Also stated in the Draft EIR:

"5.5.1 Faunal Species of conservation concern According to the terrestrial biodiversity specialist, faunal species of conservation concern are those listed as threatened, near-threatened and/or are endemic or range restricted. The Western Cape hosts several terrestrial vertebrate species of conservation concern of which four have a distribution which includes the Study. This includes one amphibian species, one reptile species and two mammal species.

Table 17: Faunal Species of Conservation Concern that have a distribution which includes the study site (Biodiversity Africa, 2023) In addition to these species, the Screening tool for Sunveld Solar PV also identified the possible occurrence of an invertebrate species of conservation concern, namely *Pachysoma Aesculapius*. Dr Jonathan Colville was appointed to undertake an invertebrate study of the site to determine to potential presence of this species (Appendix E2).

This section in draft BAR related to a discussion on the botanical component of the entire study site which included that affected by the development footprint as well as areas that were avoided due to their sensitivity.

The footprint of the development was however designed in such a way as to avoid all of the near intact Saldanha Flats Strandveld with the exception of a small fragmented portions as highlighted in red in the image below.



There is a small area of 9.1ha of near-intact vegetation and 15.8ha of degraded vegetation that will be impacted by project infrastructure which the specialist found this to be of low significance after mitigation. To account for this loss, areas within the study area, that will not be affected by project infrastructure, will need to be rehabilitated (alien vegetation managed) and set aside as conservation areas. The loss of a small subpopulation of *Leucospermum rodolentum* must be mitigated by ensuring that set aside areas include this species and that these subpopulations increase in size over time to account for the loss of the subpopulation to Solar PV 1. This would result in a net gain of Saldanha Flats Strandveld and *Leucospermum rodolentum* over the long

Comment	Response
<p>According to the specialist, this species of flightless dung beetle is endemic to South Africa and restricted to low-altitude areas (>300m) of the south-western parts of the Western Cape Province.</p> <p>A historical collection record from 1973 for P is known from the north-eastern part of the study site.</p> <p>Historical collection records indicate that this species is associated with several types of Sand Fynbos (Leipoldtville Sand Fynbos, Atlantis Sand Fynbos, and Hopefield Sand Fynbos). It has a limited range, extending from Cape Town northwards to the mouth of the Olifants River. The specialist has made certain recommendations regarding the layout to ensure the persistence of this species, which have been considered in the development of Layout Alternative 5 (Mitigated Preferred Alternative)"</p> <p>Comment: Loss of faunal habitats, loss of faunal species of conservation concern. Disturbance of faunal species and their livelihoods due to construction related noise, dust and obstructions. Mortality of faunal species due to operational related activities. How will this be avoided and mitigated?</p> <p>3) Also stated in the Draft EIR: "5.7 AVIFAUNAL COMPOSITION OF THE SITE</p> <p>The specialist confirmed that during the site assessments, distribution and abundance of the bird species in and near the Project Site is mostly associated with natural vegetation. There are however some species that were associated with the modified environments, as follows:</p> <p>High Voltage Power Lines: The 400kV Aurora Juno 1 power line traverses the Project Site. Power lines could provide roosting and nesting habitat for priority species, especially raptors.</p> <p>Alien Trees: The Project Site contains clumps of alien trees. The trees could attract a variety of bird species for nesting and roosting.</p> <p>Agriculture: The Project Site contains agricultural fields, mainly canola, wheat, grains, and planted pastures. Some priority species are likely to be associated with the cultivated fields, especially to forage (e.g., raptors and small birds). The Cape Weaver, Large-billed Lark, Blue Crane, and Barn Swallow are some of the priority species that could utilise these areas.</p> <p>The specialist confirmed that the SABAP2 data indicated that a total of 259 bird species could potentially occur within the Broader Area where the Project Site is located. Of these, 135 species are classified as priority species for solar developments and 20 of these are South African Red Listed species (i.e., Species of Conservation Concern – SCC).</p>	<p>term. Protected species that can be easily and successfully translocated, will have to be moved into surrounding undeveloped areas on the same property as part of the rehabilitation efforts. The following mitigation measures were proposed by the Faunal Specialist and have been incorporated into the EMP. It is important to note that if the project is authorised, the EMP will be legally binding on the applicant.</p> <ul style="list-style-type: none"> • Should any mammal, reptile or amphibian SCC be encountered during construction, these must be recorded (photographed, gps co-ord) and placed on iNaturalist. • Should any slow-moving fauna (e.g. tortoises) occur within the construction footprint during construction, these must be moved to adjacent suitable habitat. The ECO should appoint a member of staff to walk ahead of construction machinery directly prior to vegetation clearance. Any faunal species that may die as a result of construction or operational activities must be recorded (photographed, gps co-ord) and these records uploaded to iNaturalist. • A snake catcher must be on call during construction to remove and relocate snakes out of harm's way. Emergency protocol must be set up should anyone be bitten by a venomous snake. • External lighting must be down lights, placed as low to the ground as possible and of low UV emitting lights, such as most LEDs. Lighting in open space areas within the development must be minimised. • The development must consolidate road networks, as far as possible, to minimise the loss of faunal habitat. • No construction and construction related activities are permitted outside the approved project footprint and a fine system must be put in place for transgressions by the developer and included in contractual agreements with all staff and contractors. • Speed restrictions must be implemented on all vehicles within the development footprint (40km/h is recommended) to reduced faunal mortalities on the project roads. • Microhabitats (e.g. rock stacks and logs) within the project footprint where clearing will occur, must be relocated to the same habitat outside of the project footprint but within the project area, preferably immediately adjacent to the removal site. E.g. Rock stacks should be restacked. • Rehabilitation efforts must provide habitat for faunal species by placing logs and rocks at strategic sites to provide shelter for small mammals and reptiles. • A clause must be included in contracts for ALL construction personnel (i.e. including contractors) working on site stating that: "unless the relevant permits are obtained, no wild animals will be hunted, killed, poisoned or captured. No wild animals will be imported

Comment	Response
<p data-bbox="203 229 1028 256">Of the 135 priority species, 85 are likely to occur regularly in or near the Project Site."</p> <p data-bbox="203 292 1055 408">Comment: Solar energy may impact avifauna directly by injuring or killing birds that collide with photovoltaic (PV) panels, or with reflective Concentrated Solar Power (CSP) heliostats or parabolic mirrors. Birds may also collide with, or be electrocuted by associated infrastructure.</p> <p data-bbox="203 413 1010 472">How will these impacts be avoided as the Berg Estuary is an IBA (Important Birding Area) and these migratory bird species to be protected at all times.</p>	<p data-bbox="1184 229 2033 384">into, exported from or transported in or through the province. No wild animals will be sold, bought, donated and no person associated with the development will be in possession of any live wild animal, carcass or anything manufactured from the carcass." A clause relating to fines, possible dismissal and legal prosecution must be included should any of the above transgressions occur for SCC.</p> <ul data-bbox="1140 392 2033 1046" style="list-style-type: none"> • Dust suppression measures must be implemented in the dry and/or windy months. • All machinery, vehicles and earth moving equipment must be maintained and the noise these create, must meet industry minimum standards. e.g. the sound generated by a machine must be below a certain decibel as prescribed in the relevant noise control regulations. █ • Development must be designed to allow unencumbered movement of faunal species, especially of small faunal species. E.g. <ul style="list-style-type: none"> ○ Internal and external fences/walls (if any) must allow for the movement of small faunal species, such as rodents and reptiles, through the development. These must have ground level gaps of 10cm x 10cm at 10m intervals. These gaps must be kept free of obstructions, including plant growth and debris. ○ All guttering and kerbstones must be sloped i.e. must be less than 45° on either side or kerbstones should be slanted or lowered (less than 10cm) at 10m intervals to allow for easy movement of toads ○ Steep sided drains, gutters, canals and open pits/trenches must be covered with mesh (5mm x 5mm) to prevent fauna falling in and getting stuck. No unnecessary structures that would act as pitfall traps for animals must be constructed ○ If there are retaining walls, steps should be formed to allow for toads and frogs to move over them. These must be vegetated with plant species that offer cover. <p data-bbox="1088 1083 2018 1385">The proposed technology is PV only and will not include reflective heliostats or parabolic mirrors. The avifaunal specialist confirmed that it is unlikely that collisions with the solar panels at the PV facility will be a significant impact. The priority species which would most likely be potentially affected by this impact are mostly small birds which forage between the solar panels, and possibly raptors which prey on them, or forage for insects and reptiles between the PV panels, e.g., Rock Kestrel. The specialist confirmed that due to the absence of large permanent waterbodies at or directly adjacent to the Development Area, it is unlikely that waterbirds will be attracted to the solar arrays due to the "lake effect". The avifaunal specialist rated the Mortality of priority species due to collisions with the solar panels as having a low significance. It is also important to note, that In the case of the proposed Sunveld PV all of the 33kV powerlines will be</p>

Comment	Response												
	placed underground therefore they pose no risk to avifauna in terms of electrocutions or collisions.												
<p>Thank you for your response.</p> <p>Will the comments and the response thereto be captured and documented in your official Comments and response report for this project as part of the Environmental approval process?</p>	<p>Yes, your comments as well as the responses will be captured in the Comments and Responses report in the Final EIR that will be submitted for decision making.</p> <p>It will also include the comments that you made during the scoping phase as follows;</p> <table border="1" data-bbox="1099 480 1977 676"> <thead> <tr> <th colspan="2" data-bbox="1099 480 1977 499">Angila Joubert: Environmental Planning Management Officer Berg River Municipality – 19 September 2023</th> </tr> </thead> <tbody> <tr> <td data-bbox="1099 499 1516 518">Please see below my comments on the Draft Scoping report for the Sunveld Solar PV.</td> <td data-bbox="1516 499 1977 544">The Aquatic Features, Jackal Buzzard nest as well as the buffers on these features have been completely avoided by the proposed layout (Layout Alternative 3). The greater majority of the black harrier habitat has also been avoided by the currently preferred layout alternative.</td> </tr> <tr> <td data-bbox="1099 528 1516 547">The below sentence from the Draft Scoping report refers;</td> <td data-bbox="1516 544 1977 632">The independent avifaunal specialist is considering the potential impact on these species and will detail the required mitigation measures that need to be implemented (the current preferred layout will also be adapted where necessary). The detailed mitigation plan and final preferred layouts will be presented in the next phase of the environmental process (The Environmental Impact Reporting Phase).</td> </tr> <tr> <td data-bbox="1099 555 1516 587">The sensitive Avifaunal Areas include, Suitable Black Harrier Habitat, Aquatic Features as well as a Jackal Buzzard Nest and Buffer.</td> <td data-bbox="1516 632 1977 660">How will this be mitigated and impact upon these species be prevented?</td> </tr> <tr> <td data-bbox="1099 632 1516 651">Thank you Dale for the feedback.</td> <td data-bbox="1516 660 1977 676">I confirm that I have added you to my I&AP register with your email address as the primary contact.</td> </tr> <tr> <td data-bbox="1099 660 1516 676">Will you also please include myself as contact person within your I&Ps list?</td> <td data-bbox="1516 676 1977 676"></td> </tr> </tbody> </table>	Angila Joubert: Environmental Planning Management Officer Berg River Municipality – 19 September 2023		Please see below my comments on the Draft Scoping report for the Sunveld Solar PV.	The Aquatic Features, Jackal Buzzard nest as well as the buffers on these features have been completely avoided by the proposed layout (Layout Alternative 3). The greater majority of the black harrier habitat has also been avoided by the currently preferred layout alternative.	The below sentence from the Draft Scoping report refers;	The independent avifaunal specialist is considering the potential impact on these species and will detail the required mitigation measures that need to be implemented (the current preferred layout will also be adapted where necessary). The detailed mitigation plan and final preferred layouts will be presented in the next phase of the environmental process (The Environmental Impact Reporting Phase).	The sensitive Avifaunal Areas include, Suitable Black Harrier Habitat, Aquatic Features as well as a Jackal Buzzard Nest and Buffer.	How will this be mitigated and impact upon these species be prevented?	Thank you Dale for the feedback.	I confirm that I have added you to my I&AP register with your email address as the primary contact.	Will you also please include myself as contact person within your I&Ps list?	
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Jurgen Kotzé – 07 March 2024													
Thank you for the email.	No response needed.												
Hanlie de Beer: Senior Clerk: Records, Directorate Corporate Services, Bergrivier Municipality – 07 March 2024													
Acknowledge receipt, forwarded to Ms Angila Joubert, Environmental Planning Management Officer.	Ms Angila Joubert confirmed as registered.												
Charlene Brand: - Women Power – 21 November 2023													
<p>Please add my 2 business email addresses to your data base to receive correspondence on the above project.</p> <p>charlene@lithembasecurity.co.za wsales1@timberconnection.co.za</p>	I have added the two email addresses below to the I&AP database for Sunveld Energy. We will notify you once the Draft Basic Assessment report is available for review and comment.												
Devlin Fortuin: Production Engineer: Road Use Management, Chief Directorate: Road Planning, Department of Infrastructure, Western Cape Government – 30 October 2023													
<p>Your email to this Branch dated 15 September 2023 refers.</p> <p>This Branch offers no objection to the issuing of the environmental authorisation.</p> <p>Detailed comment in terms of the traffic issues will be provided to the local authority as part of the land use process. The land use application must be accompanied by a TIA address the impact during the construction period.</p>	The Departments comment is recorded. And it is furthermore noted that detailed comment in terms of Traffic Issues Will be provided as part of the Land use Process.												

Comment	Response
Comments on Draft Scoping Report	
Waseefa Dhansay: Heritage Western Cape – 26 October 2023	
<p>You are hereby notified that, since there is reason to believe that the proposed Development, Construction, and Operating an up to 600 mw Solar PV facility and associate infrastructure, Doornfontein a 118 and Kruispad 120, Farm 118 and 120 Velddrif will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of Section 38(3) of the NHRA be submitted.</p>	<p>A heritage impact assessment is required as part of the plan of stud for EIA and will be undertaken as part of the next phase of the environmental process.</p>
<p>This HIA must in addition have specific reference to the following: - Archaeological Impact Assessment - Palaeontological Impact Assessment - Visual Impact Assessment</p>	<p>These studies are listed in the plan of study for EIA and will be undertaken as part of the Environmental Impact Assessment Phase of the Environmental Process.</p>
Ms Mmatlala Rabothata: Department of Forestry Fisheries and the Environment Biodiversity Conservation Directorate – 18 October 2023	
<p>The Directorate: Biodiversity Conservation reviewed and evaluated the Draft Report and Does not have any objections to the Scoping Report and Plan of Study.</p>	<p>This requirement is noted. The Environmental Impact Assessment Phase of this Environmental Process will comply with the activities outlined in the Plan of Study.</p>
<p>However, it is noted that portions of the project area occur within a Critical Biodiversity Area (CBA1, CBA2 and CBA3) within Saldanha Strandveld Vegetation classified as endangered (EN). The PV facilities must be placed in such a way as to avoid highly sensitive biodiversity features.</p>	<p>The Terrestrial Biodiversity, Aquatic Biodiversity, Entomology and Avifaunal specialist will be further engaged during the Impact Assessment Phase of the Environmental Process to further refine the preferred layout alternative (Layout Alternative 3) to avoid the highly sensitive biodiversity features.</p>
<p>The Layout Plan overlaid with biodiversity sensitivities must be included and submitted during the next phase of the EIA.</p>	<p>The final site layout plan submitted in the environmental impact assessment phase of the environmental process will include an overlay will all environmental sensitivities. Please refer to section 1.11 of this scoping report for the preliminary overlays with the initial study site.</p>
<p>The Final Scoping Report must comply with the procedures for the assessment and minimum criteria for reporting on identified themes in terms of sections 24(5)(A) and (H) and 44 of the National Environmental Management Act, 1998.</p>	<p>Compliance with these requirements are outlined in sections 3.4.17, 5.11 and of the scoping report.</p>
<p>All Public Participation Process documents related to Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at email: BCAdmin@environment.gov.za for the attention of Mr Seoka Lekota.</p>	<p>Mr Seoka Lekota with the primary contact of BCAdmin@environment.gov.za will remain registered as a key stakeholder on this environmental process and will be notified of all further documentation available in terms of this environmental process.</p>
Adri la Meyer: Western Cape Department of Environmental Affairs and Development Planning – 17 October 2023	
<p>Comment was received from the following directorates within DEA&DP.</p> <ul style="list-style-type: none"> - Development Management - Development Facilitation - Pollution and Chemicals Management - Waste Management 	

Comment	Response
Directorate: Development Management (Region 1) – Mr Kraigen Govindasamy:	
<p>3.1. The DSR indicates that the proposed development will trigger Activity 14 of Listing Notice (“LN”) 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) EIA Regulations, 2014 (as amended), Activity 4 of LN 2, and Activity 10 of LN 3 in relation to the development of facilities for the storage of dangerous goods in containers. However, the volume of dangerous goods to be stored in containers on the proposed site has not been provided. The relevant listed activity must be included in the Final Scoping Report (“FSR”) and forthcoming Draft EIA Report once the estimated volume of dangerous goods to be stored in containers has been determined.</p>	<p>All activities (in all three listing notices) associated with the storage and storage and handling of a dangerous good were considered at Draft Scoping Phase, as the total combined storage capacity for the alternative BESS technologies was still to be determined (based on the preferred footprints determined after completion of the SSVR’s). This technical process will be concluded for all of the proposed BESS technology alternatives by time the Draft EIA report is available for comment. An amended application form will be submitted to the competent authority at this stage.</p>
<p>3.2. A detailed description of the proposed storage of dangerous goods (and associated volume) in containers must be provided.</p>	<p>The Draft EIR will contain the detailed technical descriptions of infrastructure and handling activities associated with the proposed storage of dangerous goods associated with the different technology alternatives.</p>
<p>3.3. It is further unclear how Activity 48 of LN 1 of the NEMA EIA Regulations, 2014 (as amended) will be triggered by the proposed development since said listed activity refers to the expansion of existing infrastructure. Clarification is therefore required.</p>	<p>This Activity was included and considered at draft scoping phase, as the detailed access and internal road network for the facility has not yet been designed. As the road network will be designed to make use of existing roads as far as possible, there may be an instance where an existing road may be expanded within 32m of one of the surface water resources identified on the site. The applicability of this activity will be confirmed in the Draft EIR stage once the detailed layout plans are completed. An amended application form will be submitted to the competent authority if necessary.</p>
<p>3.4. The DSR indicates that the proposed development footprint will be approximately 709 ha and 887 ha in extent. Please confirm the development footprint.</p>	<p>The total physical footprint of the facility is 709ha and the total fenced area (total lease area) is 887ha. This is due to their being approximately 178ha of undeveloped areas (cumulatively within the area to be fenced off for the development. During the detailed design, the fenced area will be further refined to reduce the amount of open space within the lease area as far as possible.</p>
<p>3.5. Please note that the proposed development falls within the Environmental Management Framework for the Greater Saldanha Area, which must be considered and reported on in the FSR and/or Draft EIA Report.</p>	<p>This is noted, and the Terrestrial Biodiversity will consider the impact of the Facility on the EMF as part of the EIA Phase.</p>
<p>3.6. This Directorate notes that the preferred layout alternative and the no-go alternative will be assessed in the environmental impact reporting (“EIR”) phase. It is advised that alternatives with respect to the associated powerlines (i.e., underground versus aboveground), route alternatives, battery energy storage system technology, etc. be investigated and considered in the FSR and reported on in the Draft EIA Report.</p>	<p>The three BESS storage technologies proposed will be comparatively assessed during the EIR phase of the Environmental Process, as will the routing and configuration of the MV cabling. The HV Powerlines will be subject to a separate environmental process that will be initiated in parallel to the Draft Impact Assessment Phase of this process. Alternatives relating to configuration and alignments of these will be considered in that process.</p>

Comment	Response
<p>3.7. Figure 31 on page 45 of the DSR indicates that a portion of the proposed site is located within the Berg Estuary Ramsar site. The potential impacts on the Ramsar site have not been identified in the DSR and must be reported on in the Draft EIA Report.</p>	<p>Thank you for the comment. Figure 31 shows that a portion of the study site falls within the West Coast Biosphere Reserve as per the South African Conservation Area Dataset. The impact on the nearby Berg River Ramsar site will be assessed by both the Terrestrial and Aquatic Biodiversity Specialists during the Impact Assessment Phase of the Environmental Process.</p>
<p>3.8. This Directorate notes that the public participation commenting period on the DSR is from 15 September 2023 to 16 October 2023. Please be reminded of regulation 3(1) of the NEMA EIA Regulations, 2014 (as amended), which states that: "Subject to subregulations (2) and (3), when a period of days must in terms of these Regulations be reckoned from or after a particular day, that period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday." Please further be reminded of regulation 3(5) of the NEMA EIA Regulations, 2014 (as amended), which states that: "Where a prescribed timeframe is affected by one or more public holidays, the timeframe must be extended by the number of public holiday days falling within that timeframe." The commenting period on the DSR should therefore end on 17 October 2023 as two public holidays fall within the commenting period.</p>	<p>This is noted and the public participation period has been extended accordingly.</p>
<p>3.9. Heritage Western Cape's response to the Notification of Intent to Develop must be included in the FSR to be submitted to the competent authority. This is especially important to confirm the proposed heritage-related specialist studies proposed in the Plan of Study for EIA.</p>	<p>Noted – HWC's comment on the NID will be included in the Final Scoping Report and the Plan of Study for EIA updated where required.</p>
<p>3.10. A comment from the Western Cape Department of Agriculture must be obtained and included in the FSR to be submitted to the competent authority.</p>	<p>Noted – The Western Cape and National Department of Agriculture were registered as key stakeholders on this Environmental Process.</p>
<p>3.11. Proof of the public participation process undertaken must be included in the FSR. The proof must include comments received from commenting authorities and other interested and affected parties, together with the EAP's responses to the comments.</p>	<p>All Public participation documentation including I&AP Register, Comments and Response Report, Adverts & Site Notices, Draft Scoping Report Notifications Draft Scoping Report Comments and Responses will be submitted as part of the Final Scoping Report.</p>
<p>3.12. Should additional studies be highlighted by interested and affected parties and agreed to by the applicant/EAP, the Plan of Study for EIA will have to be amended accordingly.</p>	<p>Noted. The EAP agrees with this approach.</p>

Comment	Response
Directorate: Development Facilitation – Ms Adri La Meyer	
<p>4.1. The Department previously commented on EIA applications for the proposed development of two solar photovoltaic (“PV”) energy facilities on the proposed site. The then Department of Environmental Affairs (“DEA”) granted an environmental authorisation (“EA”) on 13 March 2020 for the proposed development of the 230 MW Doornfontein solar PV facility on the Remainder of Farm Doornfontein No. 118, Velddrif (DEA reference 14/12/16/3/3/2/2024). The Department further provided comments on 25 November 2020 on the Draft EIA Report for the proposed development of the 150 MW Kruispad solar PV energy facility on the Remainder of Farm Kruispad No. 120, Velddrif (DEA reference 14/12/16/3/3/2/1144). The status of this application for EA is unknown. Based on the preliminary site layout map, it appears that the proposed development is located on properties previously approved or proposed for solar PV facilities; however, the DSR failed to indicate this.</p>	<p>This statement is correct and it is confirmed that both the 230MW Doornfontein PV Facility (14/12/16/3/3/2/2024) and the 150 MW Kruispad PV Energy Facility (14/12/16/3/3/2/1144) were authorised on the two target properties of this application (i.e. Sunveld Solar PV Energy Facility). This was noted in section 5.11 of the current Draft Scoping Report but we will further emphasize this in the Final Scoping Report. Although these two Environmental Authorisations are still valid, the affected landowners (Doornfontein Familie trust & Kruispad Familie Trust) have both confirmed that the land rights in respect of these authorisations have lapsed and that the land rights to both farms have since been awarded to Sunveld Energy (Pty) Ltd under an Option to Lease Agreement signed on the 6th of June 2023. Such written confirmation from the landowner was included in the application form.</p>
<p>4.1.1. The FSR and/or Draft EIA Report should indicate whether the proposed Sunveld solar PV facility is proposed on areas approved for the Doornfontein solar PV facility and proposed for the Kruispad solar PV facility.</p>	<p>The proposed Sunveld PV Energy Facility does intersect with both these authorisations, however as mentioned above the land rights associated with these EA’s have lapsed and the land rights have since been awarded to Sunveld Energy (Pty) Ltd. This will be emphasized in the FSR to make it clearer.</p>
<p>4.1.2. If the proposed Sunveld solar PV facility is indeed proposed on the areas already approved or proposed for solar PV facilities, then the Draft EIA Report must provide an indication of whether those development will proceed, whether the EA for the authorised Doornfontein solar PV facility is still valid, and how the proposed Sunveld solar PV facility will impact on the approved and proposed solar PV facilities.</p>	<p>Please refer to the response under 4.1.1 above.</p>
<p>4.1.3. Interestingly, the Screening Tool Report (Appendix H) generated on 12 May 2023 did not indicate the presence of the two solar PV facilities within 30km of the proposed site.</p>	<p>This was noted by the EAP (even the Q1 -2023 datasets do not include these projects) and as such, alternative datasets and resources were utilised to determine projects within a 30km Radius as part of the consideration of cumulative impacts.</p>
<p>4.2. The specialist assessments and the Draft EIA Report must provide a map and an assessment of cumulative impacts for all energy projects within a 30km radius of the proposed site.</p>	<p>Noted – The specialist terms of reference includes this specific requirement. The terms of reference to the specialists also requires that they consider and where necessary, align the</p>

Comment	Response
	recommendations associated with cumulative impact with recommendations made in other specialist studies.
4.3. It is noted that the proposed project will feed into the national grid via the existing Eskom Aurora main transmission station. The grid connection project will be assessed as part of a separate EIA process to be initiated at the EIR stage of the current environmental process. This Directorate supports this approach as the High Court Judgement delivered on 18 July 2023 in the matter between Badenhorst, Jensen and van der Walt vs Minister of Forestry, Fisheries and the Environment and Others (2229/2020) does not allow for the undertaking of the grid connection project at a later stage.	Noted – The intention of this approach, is to ensure that the impacts of the facilities along with their associated electrical infrastructure can be cumulatively assessed.
4.4. Per paragraph 3.1. above, please note that only one of the mentioned listed activities are applicable, depending on the volume of dangerous goods that will be stored in containers. The correct listed activity must be identified in the Draft EIA Report and an amended application form must be submitted to the competent authority.	Thank you for this note and advice. All activities (in all three listing notices) associated with the storage and storage and handling of a dangerous good were considered at Draft Scoping Phase, as the total combined storage capacity for the alternative BESS technologies was still to be determined (based on the preferred footprints determined after completion of the SSVR's). This technical process will be concluded for all BESS technology alternatives by time the Draft EIA report is available for comment. An amended application form will be submitted to the competent authority at this stage.
Directorate: Pollution and Chemicals Management – Ms Shehaam Brinkhuis	
5.1. This Directorate awaits the Draft EIA Report and accompanying Environmental Management Programme (“EMPr”) to provide comment on potential pollution impacts and the proposed mitigation measures.	Noted – the Directorate, Pollution and Chemicals Management will be notified when the Draft EIR and associated EMPr is available for review and comment.
Directorate: Waste Management – Mr Muneeb Baderoon	
6.1. This Directorate agrees with and supports that the Plan of Study for EIA. It is agreed that no specialist studies or assessments are required for aspects related to waste management.	Noted – The EMPr will include a Waste Management Plan to ensure that the handling of waste during the construction and operational phases is both lawful and sustainable.
6.2. The development and implementation of a waste management plan to avoid and mitigate potential negative impacts is recommended. Said waste management plan should form a component of the EMPr.	Noted – A Waste Management Plan for both the construction and operational phases of the development will be included in the Draft EMPr, which will be provided to the Department for review and comment.
6.3. The DSR states that the proposed development of the Sunveld solar PV facility will require the clearance of more than 20ha of indigenous vegetation. In addition to	Other than the invasive alien species present on the property, there is no significant woody vegetation present on the study site. One of the key Environmental Impact Management Outcomes

Comment	Response
<p>addressing all waste management aspects in the forthcoming EMPr, the EMPr must require that all invasive alien and other removed vegetation be taken to a green/garden waste chipping facility for composting or be disposed of at an appropriately licenced facility but may not be disposed of on adjacent land. The Bergvriër Municipality should be consulted for available options to deal with green waste as part of their Organic Waste Diversion Plan.</p>	<p>that will form part of the EMPr will be to reduce the impact on topsoil in order to retain as much non woody vegetation cover under the modules as possible. To this end, the EMP will not allow the total clearance of vegetation from the PV Footprint (Total clearance of vegetation will only take place at the Laydown Area, BESS Area, Building footprints and internal road network). Only woody vegetation will be completely removed from the PV Footprint. In order of priority, the biomass from this vegetation will be:</p> <ul style="list-style-type: none"> - Chipped on site and utilised as part of rehabilitation of areas disturbed by construction ; - Licenced Green waste site. <p>In terms of the Municipalities Organic Waste Diversion Plan, the EMPr will not allow the disposal of plant based organic waste at a general waste landfill site.</p>
<p>6.4. This Directorate awaits the Draft EIA Report and EMPr which should address impacts associated with the management of dust, noise, fuel storage, spills, training, waste removal, placement of toilets and fire prevention in sufficient detail.</p>	<p>Noted – the Directorate, Waste Management will be notified when the Draft EIR and associated EMPr is available for review and comment.</p>
<p>6.5. The EMPr should indicate regular inspections of water systems and all water-related infrastructure (e.g., toilets, taps, etc.). These inspections should be conducted to identify possible water leakages for immediate repair. Toilets and ablution facilities must be located to ensure that possible run-off will not pollute surface and groundwater due to potential sewage leaks.</p>	<p>These requirements are noted and will be incorporated into the EMPr that will be provided to the Department for Review and Comment.</p>
<p>6.6. Since general and hazardous waste materials will be generated and stored on the site, please take cognisance of the general requirements for the storage of waste as indicated in section 21 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).</p>	<p>The EMPr will make provision for compliance with the general requirements for the storage of waste as outlined in sections 21 (a-e) of NEM:WA.</p>
<p>Masina Morudu: Department of Forestry, Fisheries and the Environment Chief Directorate Integrated Environmental Authorisations – 16 October 2023</p>	
<p>Application form and draft SR</p>	
<p>Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description.</p>	<p>The listed activities have been linked to development activity as described in section 2 of this report. Kindly note that some of the listed activities have been included, pending the outcome of some specialist studies that will form part of the Environmental Impact Assessment Phase of the Environmental Process.</p>
<p>If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>	<p>The activities reflected in section 3.1.2 of this Scoping Report and those contained in the application form are the same. As mentioned above, an updated application form may be submitted as part of the environmental impact assessment phase of the environmental process, pending the outcome of the assessments.</p>
<p>Layout & Sensitivity Maps</p>	

Comment	Response
<p>Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> - The proposed Sunveld Solar PV Facility and BESS, overlain by the sensitivity map; - All supporting onsite infrastructure e.g., roads (existing and proposed); - The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; - Buffer areas; and - All “no-go” areas <p>The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.</p>	<p>These maps are contained in section 5.11 of this Scoping Report. A final Site Layout Plan incorporating all these requirements will be included as part of the Environmental Impact Assessment Phase of the Environmental Process.</p>
Public Participation Process	
<p>Please ensure that all issues raised, and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>	<p>All comments received, including those from the Departments (Biodiversity Conservation Directorate addressed in the Table Below) have been incorporated into this Final Scoping Report. Copies of all the comments received as well as evidence of the attempts to obtain comments are included in Annexure E4.</p> <p>Further details of the Public participation undertaken are included in section 7 appendices F1 to F5 of the report.</p>
<p>A comments and response trail report (C&R) must be submitted with the final SR. 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 the 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&AP’s comments.</p>	<p>A comments and Responses Report in the format outlined by the Department is included in Annexure F2.</p>
<p>The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development.</p>	<p>All Relevant competent authorities, including DFFE (This application), the Provincial Environmental Department (in terms of Biodiversity Consents), Heritage Western Cape (in terms of the National Heritage Resources Act) and Department of Water and Sanitation (in terms of the National Water Act) have been given an opportunity to provide comment on this proposed development. Details of this engagement are included in Annexure F4.</p>
Specialist Assessments	
<p>Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and</p>	<p>At the scoping level, all specialists considered the total initial assessment area / study site. During the Environmental Impact Reporting Phase of the project, the specialists will assess the preferred layout alternative (which will be developed pending the outcome of the scoping phase /</p>

Comment	Response
all other associated infrastructures that they have assessed and are recommending for authorisations.	site sensitivity verification) and will include all PV Arrays, BESS footprints as well as all associated infrastructure.
The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.	The limitations of each specialist study are included in the specialist reports attached in Annexures E1 – E8 Seasonality has not been identified as a limitation to any of these studies.
Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.	At the current scoping phase, there are no contradicting recommendations between the various specialist disciplines. During the Impact Reporting Phase of the Environmental Process, the EAP will review all recommendations in detail to determine any potential conflict.
It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.	The plan of study for EIA is included in section 6 of this report includes provision that specialist assessments comply with the Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes.
Cumulative Assessment	
As there are other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following: <ul style="list-style-type: none"> - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land. - Detailed process flow and proof must be provided, to indicate how the specialist’s recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. 	The Scoping Phase of this environmental process, merely identifies the potential cumulative impacts. The plan of Study for Environmental Impact Assessment however outlines the requirements for the cumulative assessments, which includes these requirements identified by the Competent Authority.
The cumulative impacts significance rating must also inform the need and desirability of the proposed development.	The need and desirability for the project is included in section 2.9 of this scoping report. Further considerations in terms of need and desirability will be included in the Impact Reporting Phase after participating specialists have concluded their assessments.
A cumulative impact environmental statement on whether the proposed development must proceed.	This will be included in the impact assessment phase of the environmental process on completion of the cumulative impact assessments by participating specialists.
General	

Comment	Response
<p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</p>	<p>This Final Scoping Report is submitted within the allowable timeframes as outlined in Regulation 23(1)</p>
<p>You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p>	<p>Compliance with the content requirements of a scoping report are outlined in the table above.</p>
<p>Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).</p>	<p>The applicant intends to comply with the timeframes in terms of Regulation 23(1) and an extension in terms of Regulation 3(7) is not envisioned at this stage.</p>
<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisations being granted by the Department.</p>	<p>The applicant is aware that no physical activities in furtherance of a listed activity may take place until such time as an Environmental Authorisation is granted and all other statutory provisions have been met.</p>
<p>Angila Joubert: Environmental Planning Management Officer Berg River Municipality – 19 September 2023</p>	
<p>Please see below my comments on the Draft Scoping report for the Sunveld Solar PV.</p> <p>The below sentence from the Draft Scoping report refers;</p> <p>The sensitive Avifaunal Areas include, Suitable Black Harrier Habitat, Aquatic Features as well as a Jackal Buzzard Nest and Buffer.</p> <p>How will this be mitigated and impact upon these species be prevented?</p>	<p>The Aquatic Features, Jackal Buzzard nest as well as the buffers on these features have been completely avoided by the proposed layout (Layout Alternative 3). The greater majority of the black harrier habitat has also been avoided by the currently preferred layout alternative.</p> <p>The independent avifaunal specialist is considering the potential impact on these species and will detail the required mitigation measures that need to be implemented (the current preferred layout will also be adapted where necessary). The detailed mitigation plan and final preferred layouts will be presented in the next phase of the environmental process (The Environmental Impact Reporting Phase).</p>
<p>Thank you Dale for the feedback,</p> <p>Will you also please include myself as contact person within your I&Ps list?</p>	<p>I confirm that I have added you to my I&AP register with your email address as the primary contact.</p>
<p>Admin: Department of Forestry, Fisheries and the Environment Directorate Biodiversity Conservation – 18 September 2023</p>	

Comment	Response
<p>DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata (Copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers.</p> <p>Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for attention of Mr Seoka Lekota</p>	<p>The allocation of the case officer is noted. Registration of Mr Seoka Lekota at email BCAdmin@dffe.gov.za is confirmed.</p> <p>KMZ of study site and layout alternative 3 provided to the Department.</p>
Brandon Layman: Western Cape Department of Agriculture – 18 September 2023	
<p>Please note that this office is bound by the government filing system which is currently in physical file format as approved by the Auditor General.</p> <p>The transition to electronic filing is slow and must be according to government protocols. The provincial department responsible for our electronic storage/filing etc. is in process to develop that.</p> <p>As solution to the cost of printing hard copies and lack of electronic filing system on our side (as discussed above) we decided the best option is to give you as consultants the option for a CD or USB as alternative to hard copy.</p> <p>The main difference between a CD or USB is storage. A hard copy, CD or USB is the "store". Email or we-transfer needs to be printed to be stored physically as we do not have an approved filing system available in the cloud or other network.</p>	<p>A hardcopy of the Draft Scoping Report and all appendices on a USB stick was couriered to the Department.</p>
John Geeringh: Grid Planning: Land and Rights Eskom Transmission Division – 18 September 2023	
<p>Please send me a BID document if there is one, as well as a KMZ file indicating affected properties, proposed development footprint and proposed grid connection. Please find attached Eskom requirements for work at or near Eskom infrastructure and servitudes, as well as a setbacks guideline for RE Developments.</p>	<p>A copy of the Draft Scoping Report and KMZ of the affected properties was sent to Mr Geeringh. The Eskom requirements for work at or near Eskom infrastructure and servitudes, as well as a setbacks guideline for Renewable Energy Developments will be included in the Draft EMPr.</p>
Morne Van Der Westhuizen: Specialist - Transmission Planning MTN – 15 September 2023.	
<p>No impact on the MTN network.</p>	<p>The applicant has noted that the project will not have any impact on the MTN Network.</p>
Vanessa Stoffels: Road Use Management. Chief Directorate Road Planning, Roads Branch Department of Infrastructure – 15 December 2023	
<p>Received your application, our reference Job 25208.</p>	<p>This comment is an acknowledgement only and does not require further response at this stage.</p>

Comment	Response
<p>The matter is receiving attention and further communication will be addressed to you as soon as circumstances permit.</p>	
<p>Waseefa Dhansay: Heritage Western Cape – 15 September 2023.</p>	
<p>The below email has reference.</p> <p>I note the attached NID prepared by Dr Orton contained in the documentation however am not locating the submission as having been formally submitted to HWC.</p> <p>Kindly note HWC required the NID to be submitted to hwc.hwc@westerncape.gov.za and thereafter a formal response would be provided.</p>	<p>The HWC case reference is - HWC23091509.</p> <p>The NID has been submitted to HWC through the correct channels.</p>
<p>Administration Department : Heritage Western Cape – 15 September 2023</p>	
<p>I acknowledge receipt of your permit application for Doornfontein A118 and Kruispad 120 near Veldrif</p> <p>Kindly note the case number for your request is: HWC23091509</p>	<p>This comment is an acknowledgement only and does not require further response at this stage.</p>