APPENDIX E15 DEA&DP DEVELOPMENT PLANNING FINAL COMMENT

Western Cape Government

Department of Environmental Affairs and Development Planning
Saa-rah Adams
Directorate: Development Management, Region 1
saa-rah.adams@westerncape.gov.za | Tel: 021 483 0773/3185

REFERENCE: 16/3/3/1/F1/11/3055/21
DATE: 30 November 2021

The Board of Directors
Sturdee Energy (Pty) Ltd
2nd Floor, Grosvenor Gate
Hyde Park Office Park
HYDE PARK
2196

Attention: Mr. Andrew Johnson

Cell: 083 854 1986
E-mail: andrew@sturdee-energy.com

Dear Sir

COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED DEVELOPMENT OF A 7MW AC SOLAR PHOTOVOLTAIC (PV) PLANT AND ASSOCIATED INFRASTRUCTURE ON PORTION 10 OF FARM RIETFONTEIN NO. 184, PIKETBERG.

1. The draft BAR and associated documents, as received by this Department via electronic correspondence on 29 October 2021 and this Department's acknowledgement thereof dated 9 November 2021, refer.

2. The Directorate's comments on the draft BAR are as follows:

   2.1. Botanical Impacts
   Based on the findings of the Ecological Compliance Statement dated May 2021 compiled by CES Environmental and Social Advisory Services, it is noted that the proposed development falls predominantly on an area transformed through wheat cultivation. However, the field survey confirmed that there is a remnant patch comprised of Swartland Shale Renosterveld on site. Swartland Shale Renosterveld is an ecosystem categorised as Critically Endangered in terms of Section 52 of the National Environmental Management: Biodiversity Act, 2004, National List of Threatened Ecosystems, 2011.

   Based on the comments received from CapeNature dated 28 September 2021, the proposed development encroaches on 925m² of the aforementioned ecosystem. It is noted that the proposed route alternative has been revised to avoid this patch of renosterveld taking the recommendations made by CapeNature in consideration. The site development plan must be amended to clearly demarcate the "no-go" areas and the 50m buffer around the renosterveld patch, as recommended by the botanical specialist. Follow up comment must be obtained from CapeNature. It is further noted that the recommendations made by the botanical specialist have been included in the Environmental Management Programme ("EMPr").

   2.2. Freshwater Impacts
   According to the findings of the draft BAR, there are no aquatic constraints associated with the proposed PV facility, however the associated transmission line will need to cross the two tributaries. It is understood that three alternative routes were proposed for the transmission line. A fourth alternative route was suggested in the aquatic impact assessment specialist report that would have the least potential aquatic ecosystem impacts. However, Route Alternative 3 is the applicant's

proposed preferred route, based on the comparative assessment of the powerline route alternatives. The original route has been amended to accommodate the ecological constraints and the specialists recommendations. The new proposed power line tower footprints will be placed outside of the recommended aquatic buffer areas. Further, the freshwater specialist has provided and Addendum letter (dated 12 August 2021) to the Aquatic Impact Assessment Report and concluded "*Given the current condition and low aquatic sensitivity of the aquatic features within the study area, as well as the fact that the proposed activities will largely avoid the aquatic features and the recommended buffers, the potential aquatic ecosystem impact would be of a low significance*". Please ensure that the recommended buffer areas are demarcated on the site development map.

Furthermore, the proposed works within or adjacent to the wetland areas and river channels are likely to change the characteristics of the associated freshwater ecosystems and may require authorisation from the Department of Water and Sanitation. It is noted that an enquiry has been submitted to the Department of Water Affairs and Sanitation. Comment must be obtained in this regard.

2.3. Agricultural Impacts
Based on the findings of the Agricultural Potential and Impact Assessment Report dated May 2021 compiled by Index (Pty) Ltd, the proposed development will not result in the loss of "high potential land" and employment. Due to the nature of the proposed development confirmation regarding the findings of the aforementioned report, must be obtained from the Western Cape Department of Agriculture.

2.4. Visual Impacts
Based on the findings of the Visual Impact Assessment Report dated August 2021 and compiled by Logis, the surrounding environment is not considered to have a "high visual quality" due to its proximity to the existing PPC cement factory and De Hoek mining operations. With the implementation of the mitigation measures proposed by the specialist the impact significant can be reduced to moderate and low. Please ensure that the recommendations and mitigation measures are included in the EMPr.

2.5. EMPr
Please amend the EMPr to include the requirement of environmental audit report (to be completed by an external auditor), in accordance with the requirements of Regulation 34 of the EIA Regulations, 2014 (as amended). In addition to this, the EMPr must be updated to include the responsible person and expected outcome of each impact management action.

2.6. General
Please amend the details of the following officials in the list of organs of state consulted, as provided on pages 19 and 20 of the draft BAR:

- Ms Jennifer Barnard can be removed from the list, as she is no longer employed at this Department.
- Ms. Ieptieshaam Bekko's first name has been incorrectly spelled. Please correct this error.
- Ms. Keagan-Leigh Adriaanse should be removed from the list, as she is employed at this Department, but not involved in this EIA application.

2.7. Public Participation Process
Please be reminded that a Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended). Please ensure that you comply with the said requirements as well as the processes that you have previously outlined in the Public Participation Plan submitted with the Notice of Intent dated 23 July 2021. All proof of having complied with the said requirements must be included in future reports that will be submitted to this Department.

2.8. Be advised that the duly dated and signed declarations by the applicant, Environmental Assessment Practitioner and specialists who compiled specialist assessments as part of the EIA application must be submitted with the final BAR to this Department for decision-making.

3. In accordance with Regulation 19(1) of the EIA Regulations, 2014 (as amended), the final BAR must be submitted within 90 days of receipt of the application by this Department, calculated from 29 October 2021. If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e., 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

4. Furthermore, in terms of Regulation 45 of the EIA Regulations, 2014 (as amended), an application in terms of the EIA Regulations, 2014 (as amended) lapses and the competent authority will deem the application as having lapsed, if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless extension has been granted in terms of Regulation 3(7).

5. Kindly quote the abovementioned reference number in any future correspondence regarding the application.

6. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

7. This Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

Taryn Dreyer

Digitally signed by Taryn Dreyer
Date: 2021.11.30 12:45:15 +02'00'

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MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

cc:
(1) Ms. B. Mason/ Dr. A. Avis(CESNET) E-mail: brooke.mason@cesnet.co.za/t.avis@cesnet.co.za
(2) Ms. A. Joubert (Bergriver Municipality) E-mail: jouberta@Bergmun.org.za
(3) Ms. D. Kotze (WCDM) E-mail: dkotze@wcdm.co.za