

Issues and Responses Summary:

Final Basic Assessments for the PV Facilities within the Stilfontein Cluster, Stilfontein, Northwest Province

In compliance with the requirements of the EIA Regulations, 2014 (as amended), this Issues and Responses Summary reflects the *comments*¹ submitted by stakeholders, as received by SRK Consulting (South Africa) (Pty) Ltd (SRK) during an initial (pre-application) stakeholder engagement period (27 May 2022 – 30 June 2022) and then following the release of the nine Draft Basic Assessment Reports (BARs) for each of the PV projects in the Stilfontein Cluster for public review (14 April 2023 - 16 May 2023). Because many of these comments are common to all nine BARs, a single Issues and Responses Summary has been prepared, with notes regarding the applicability of each comment to specific applications where relevant.

Comments were received from the stakeholders listed in

¹ As required by the Department of Forestry, Fisheries and the Environment (DFFE), verbatim comments have been reproduced here.

Table 1. *Verbatim*² comments have been included and responses provided in the respective columns of the Issues and Responses Summary presented in Table 2. Unless otherwise indicated, responses are provided by SRK.

Copies of all original comments, submitted by email and received by SRK are presented in Appendix C6³ of the Final BAR.

Abbreviations and Acronyms used in the Issues and Responses Summary

AC	Alternating current	LSA	Later Stone Age
BA	Basic Assessment	MEC	Member of the Executive Council
BAR	Basic Assessment Report	MSA	Middle Stone Age
BESS	Battery Energy Storage System)	MTS	Main Transmission Station
CGS	Council for Geoscience	MW	Megawatt
CRR	Comments and Responses Report	NEMA	National Environmental Management Act 107 of 1998
DBAR	Draft Basic Assessment Report	NHRA	National Heritage Resources Act 25 of 1999
DC	Direct current	NPO	Non-Profit Organisation
DFFE	Department of Forestry, Fisheries and Environment	NWDEDECT	North West Department of Economic Development Environment Conservation and Tourism
DMRE	Department of Mineral Resources and Energy	PIA	Palaeontological Impact Assessment
DWS	Department of Water and Sanitation	POPIA	Protection of Personal Information Act 4 of 2013
EA	Environmental Authorisation	PPA	Power Purchase Agreement
EAP	Environmental Assessment Practitioner	PV	Photovoltaic (Solar)
ECO	Environmental Control Officer	REDZ	Renewable Energy Development Zone
EIA	Environmental Impact Assessment	REIPPPP	Renewable Energy Independent Power Producers Procurement Programme
EMPr	Environmental Management Programme	SA	South Africa
ESA	Ecological Support Area	SACNASP	South African Council for Natural Scientific Professions
Eskom	Eskom Holdings SOC Ltd	SAHRA	South African National Heritage Resources Agency
GN	Government Notice	SANBI	South African National Biodiversity Institute
GPS	Global Positioning System	SDF	Spatial Development Framework
IAP	Interested and Affected Party	SDP	Site Development Plan
IPP	Independent Power Producer	SEI	Site Ecological Importance
IQ	Interpretation Query	SIA	Socio-economic Impact Assessments
IRP	Integrated Resource Plan	SRK	SRK Consulting (South Africa) (Pty) Ltd

² Administrative or points-of-clarification comments (e.g. comments that do not relate to specific issues) are not captured in the Issues and Responses Summary.

³ To comply with the Protection of Personal Information Act 4 of 2013 (POPIA), documents containing personal information of stakeholders will not be made available in the public domain. However, they will be submitted to the competent authority.

KMZ Keyhole Markup Language

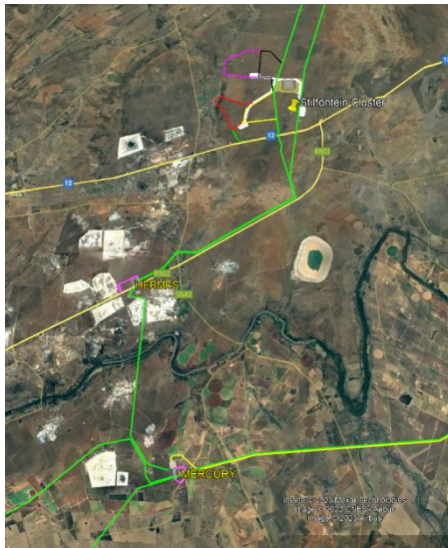
STC Strategic Transmission Corridor

Table 1: List of stakeholders who submitted comments

#	Stakeholder	Affiliation	Submission Format	Comment Received
During the Pre-application Phase Requesting Registration				
i.	Friedemann Essrich	JB Marks Consumer & Ratepayers Association	Telephonic	3 May 2022
ii.	Teboho Lehola	TVL Enterprise Pty Ltd	Email	26 May 2022
During the Post-application Phase Requesting Comment Following Release of the Draft BA Report				
iii.	John Geeringh	Eskom Holdings SOC Ltd (Eskom)	Email	13 April 2023
iv.	Mamokete Mafumo	Eskom Transmission Land and Rights	Email	13 April 2023; 3 May 2023
v.	Malebo Motlounq	Rays Hope NPO	Email	16 April 2023; 16 May 2023
vi.	Kesaobaka Archibald Monnahela	Gizabo Holdings Pty Ltd	Email	17 April 2023
vii.	Carlo Geel	Harmony Gold Mining Company Limited	Online form	17 April 2023
viii.	Princess Ngobeni	Openserve – a Division of Telkom SA SOC Ltd	Email	18 April 2023
ix.	Gopolang Moeketsane	Openserve – a Division of Telkom SA SOC Ltd	Email	25 April 2023
x.	Friedemann Essrich	JB Marks Consumer & Ratepayers Association	Email	15 May 2023
xi.	Hendrick Mongale	Nearby landowner and business owner	Email	7 May 2023
xii.	Lunga Dlova	Department of Forestry, Fisheries and the Environment (DFFE): Integrated Environmental Authorisations	Email	8 May 2023; 10 May 2023
xiii.	Wayne Hector	DFFE: Integrated Environmental Authorisations	Email	9 May 2023; 15 May 2023
xiv.	Matlhodi Mogorosi	DFFE: Integrated Environmental Authorisations	Email	12 May 2023
xv.	Coenrad Agenbach	DFFE: Integrated Environmental Authorisations	Email	15 May 2023
xvi.	Nyiko Nkosi	DFFE: Integrated Environmental Authorisations	Email	12 May 2023
xvii.	Mohammed Dambha	City of Matlosana Local Municipality	Email	16 May 2023
xviii.	Ntombi Rikhotso	JB Marks Local Municipality, Environmental Management Unit	Email	16 May 2023
xix.	MMatlala Rabothata	DFFE: Biodiversity and Conservation	Email	25 May 2023
xx.	Sityhilelo Ngcatsha	South African Heritage Resource Agency (SAHRA)	Email	29 May 2023
xxi.	Sam Ralston	Birdlife SA	Email	7 June 2023

Table 2: Stilfontein Cluster PV Basic Assessments: Issues and Responses

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
1.	Please send me a KMZ file of the affected properties, proposed development footprints and proposed Grid connections when available. Please find attached Eskom requirements for works at or near Eskom infrastructure and servitudes, as well as a setbacks guideline for renewable energy developments.	John Geering (Eskom) 13 April 2023	The requested information was sent to Eskom on 14 April 2023. Mainstream is aware of the Eskom requirements for works at or near Eskom infrastructure and servitudes, as well as a setback guideline for renewable energy developments and has taken account of this in their design. The various conditions and requirements for works at or near Eskom infrastructure and servitudes, as well as a setbacks guideline for renewable energy developments will be adhered as stipulated in the letter.	All projects
2.	We have two power lines planned in the area and we are busy with the Screening report. Can you please send me the kmz/dgn files so that we can superimpose your project on our maps.	Mamokete Mafumo (Eskom); 13 April 2023	The requested information was sent to Eskom on 14 April 2023.	All projects
3.	Please send your request to our wayleave section on this email nerwayleaves@telkom.co.za , as our section only conduct risk analysis concerning wind turbine development	Princess Ngobeni; 18 April 2023	nerwayleaves@telkom.co.za was included the initial notification sent on 13 April 2023.	All projects
4.	See the email below from my Colleague. Your proposed project is going to affect the existing power lines. Please see below, the Solar Energy doesn't affect the proposed Mercury - Umtu, however their MTS and lines will be affecting the existing HERMES PLUTO 400kV Line 1 and 2.	Mamokete Mafumo (Eskom); 3 May 2023	Mainstream is aware of the linkage to the existing HERMES PLUTO 400kV lines 1 and 2, as this is the intended evacuation point for generated power from the solar facilities, and therefore the location of the powerlines and connectivity thereto in proximity to the project site is critical to the viability of the project. This issue is addressed in detail in the MTS and Grid Infrastructure BARs, which will be available for public comment in the near future. SRK will ensure that Eskom is notified of the availability of these documents for comment.	All projects



No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
5.	<p>I hereby inform you that the proposed services are approved in terms of section 22 of the Electronic Communications Act 36 of 2005.</p> <p>Underground crossing(s)/pipelines marked BLUE are important and require supervisions by this Company.</p> <p>Your attention is particularly directed to the marked paragraph(s).</p> <ol style="list-style-type: none"> 1. Approved on conditions that, should if later be found necessary to deviate the existing communication line due to existing noise interference, the cost of such remedial action shall be repayable. 2. Crossing(s) marked BLUE do not meet these requirements, and the existing communication lines will have to be deviated to eliminate excessive noise interference and the cost will be for the power provider. 3. Paragraph 2.4.1 of the Code of Practice stipulates the minimum acceptable horizontal separation between power and the communication lines and where this cannot be met, the design of the power line is also stipulated. This could apply between the attached plan and these requirements should strictly be adhered to. 4. Calculations have shown that earth fault on the high voltage power lines will induce excessive low frequency induction into the communication line. As a result of this, the cost to deviate / alter the communication lines to prevent this induction will be for the power provider 5. At the points where this Company's existing or projected underground communication cable will be crossed by an underground cable, the latter should be laid at a depth of at least 300 mm below the communication cable - normally laid at depth of + 600 mm. If the power cables are not enclosed in a suitable pipe, protection in the form of a concrete slab should be provided immediately above the power cable for a minimum of 2 (two) meter on either side of the crossing. 6. In case where an underground power cable will run parallel with an existing or projected underground communication cable, a separation as great as possible should be maintained with minimum separation of 600mm. Should the separation be less than 600mm and the power cable is not enclosed in a suitable pipe, a concrete slab must be provided immediately above the power cable for the length of parallelism. If the separation is less than 300mm, additional protection is required by placing concrete slabs between. The OPENSERVE PROPRIETARY LIMITED cables / pipes and the power cables. 7. The underground crossing(s) is/are important and require supervision by this Company. Please make arrangements for site visit 2 (two) weeks prior to commencement of proposed 8. On completion of this project, please certify that all requirements as stipulated in this letter, have been met. If any alterations have to be made to this Company's services because above mentioned stipulations have not been met, the costs of such alterations will be for the account of the power provider. 	<p>Gopolang Moeketsane (Openserve); 25 April 2023</p>	<p>It is noted that the proposed services are approved in terms of Section 22 of the Electronic Communications Act 36 of 2005.</p> <p>Mainstream confirms they have received a separate approval letter from Openserve with conditions of approval, to be provided to the Contractor to account for during detailed design and to be implemented accordingly.</p>	<p>All projects</p>

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	<p>9. Approval of the proposed route is valid for 6 months. If construction has not yet commenced within during or prior to construction must be immediately communicated to this office.</p> <p>10. Repayable estimated cost would be provided within 21 days of notification to proceed with the proposed service.</p> <p>11. line and all communication lines, should be as near to a right angle as possible -the following deviation from the right angle as possible - the following deviation for the right angle being permitted at:</p> <ul style="list-style-type: none"> • Power voltage of 48 kV and higher - 30 degrees • Power voltage of lower than 48 kV - 45 degrees <p>12. Suitable protection as laid down in section 5 of the Code of Practice should be provided at all important crossings.</p> <p>13. At points of crossing, the overhead power lines should cross over the overhead communication lines with a minimum vertical separation for _ Meter(s).</p> <p>14. Any damage to Openserve Proprietary Limited Infrastructure please contact Cable Network Services.</p>			
6.	The areas experiences some mine-induced seismic activity. Examples are the Stilfontein tremor in March 2005 (~5 on the Richter Scale) and Orkney tremor in August 2014 (5.3 on the Richter Scale).	Friedemann Essrich; (JB Marks Consumer & Ratepayers Association) 3 May 2022	Preliminary geotechnical investigations found that the site is within a region of mine-induced and natural seismic activity. The preliminary geotechnical investigation concluded that underground mining will not pose a fatal flaw to the project (GaGE Consulting, 2023, Report on the Geotechnical Desktop Study for Stilfontein Solar Photovoltaic Cluster). Mainstream will undertake a more detailed geotechnical assessment to investigate this aspect and determine technical mitigations for the facility design, as may be required.	All projects
7.	My intake or input in this project is that it will empower and develop SMME's like myself who are within the scope of civil works. However job creation is needed within our country and I can tell this project will empower people around Stilfontein through permanent employment opportunities.	Teboho Lehola 26 May 2022	The issues raised are acknowledged and were investigated and assessed in the Socio-economic Impact Assessment (SIA) provided as Appendix D5 of the BAR.	All projects
8.	1. make sure about firebreak/ firefighting arrangements	Carlo Geel (Harmony Gold Mining); 17 April 2023	Before construction commences (during the Design Phase see Table 2-1 in EMPr) the Proponent must appoint an expert to compile a Fire Management Plan that takes the Fire Management Plan (appended to the EMPr in Appendix D) into account.	All projects
9.	2. make sure about informing affected communities		Stakeholder engagement forms a key component of the BA process and has been undertaken in accordance with Chapter 6 of the EIA Regulations, 2014 and Protection of Personal Information Act 4 of 2013 (POPIA). See Chapter 5 of the BAR. Regular, ongoing engagement with communities is included as a requirement in the EMPr. See Table 4-1 of the EMPr under <i>socio-economic impact and benefit management</i>	

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10.	3. engage timeously with the local authority regarding authorized general waste disposal and potable water supply		<p>Noted by Mainstream. The applicant will engage accordingly closer to the time prior to construction, as requirements and capacity may differ into the future. See BAR Section 3.6.12 (Construction Phase) and 3.7.5 (Operation Phase): Waste Management, which states:</p> <p><i>Options to reuse or recycle waste materials will be favoured over disposal. All construction waste (packaging material for the PV Panels, rubble, general waste) will be removed from work areas and disposed of at licensed (municipal) waste disposal facilities. It is not expected to be significant nor compromise local waste management handling and disposal.</i></p> <p><i>Solid waste produced during the Operation Phase will include small volumes of domestic waste, packaging from replacement equipment, discarded components and vegetation cuttings. It is not expected to be significant or place strain on local waste management and disposal facilities.</i></p> <p>Waste management is addressed in detail in the EMPr and before construction commences (during the Design Phase see Table 2-1 in EMPr) the Proponent must appoint an expert to compile a Waste Management Plan laying out:</p> <ul style="list-style-type: none"> • Expected type and amount of waste; • Measures to reduce waste; • Type and expected volume of recyclable waste; • Recycling facilities that will collect / receive waste; • Type of storage for different waste types; • Waste contractors that will collect and dispose of waste <p>See BAR Section 3.6.11 (Construction Phase) and 3.7.4 (Operation Phase): Water Use and Supply, which states:</p> <p><i>Water will be sourced (during the construction and Operation Phases) from authorised service providers and/or existing boreholes and/or abstracted from surface water sources, which will be determined during detailed design. Temporary water pipelines will be installed during construction to supply the construction camp and ancillary facilities.</i></p> <p>It is not proposed to obtain potable water from the Local Municipality.</p>	
11.	4. plan for the ultimate disposal of hazardous waste/ material e.g., batteries and solar panels		<p>Decommissioning is a critical part of the environmental assessment and the proposed process is described in Section 3.8 of the BAR. It is noted that due to the timeframes, the prescription of management measures must be sufficiently flexible to comply with legislation applicable at the time.</p> <p>Whilst information is currently available regarding the anticipated lifespan of the PV facility, there is only limited information regarding the exact method of decommissioning (if the facility is decommissioned) as this is yet to be decided and will need to take place in accordance with legislation prevailing at the time. As such, specific measures will only be taken into account once all</p>	

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			<p>requirements are known closer to the time when a decision to decommission is made.</p> <p>The measures listed in Table 5-1 of the EMPr are based on the assumption that the PV facility and associated infrastructure will be removed at the end of operations. It is however unlikely that the facility will be decommissioned. The likely scenario is that PV equipment that reaches the end of its operational lifespan will be replaced with new equipment and the facility will continue to operate for the foreseeable future.</p> <p>Management measures for decommissioning are addressed in Table 5-1 of the EMPr, including the requirement for the Proponent to compile a detailed Decommissioning Plan (including a Waste Management Plan specific to the Decommissioning Phase) one year before planned decommissioning.</p>	
12.	5. ensure effective security arrangements (the area have a lot of illegal mining activities)		<p>Noted by Mainstream.</p> <p>Potential safety and security impacts on nearby communities are considered in Section 6.6.2.4 of the BAR and the following mitigation measures were recommended and carried into the EMPr:</p> <ul style="list-style-type: none"> • Liaise with nearby residents (up to ~2 km from the project boundary) before and during construction to inform them of construction status and discuss safety management measures to reduce security risks. • Maintain a visible security presence on site. • Implement a grievance mechanism at the start of the Construction Phase. • Communicate and implement a compensation procedure in the event of damages directly linked to the construction. • Control site access. • Provide transportation to site for workers. • Declare areas outside of the construction site as no-go areas for construction staff. • Erect and regularly inspect a boundary fence. • Regularly inspect the project area and surrounding area for signs of illegal activity. • Regularly clean any litter from the project area and surrounding area. 	
13.	6. Plan/ ensure for dust mitigation and preferably fall-out dust monitoring (solar farms expose a lot of unprotected land) and communities in the area are sensitive regarding these.		<p>Strict dust control measures during the Construction Phase, are included in Table 3-2 of the EMPr. Management of vehicle speeds and effective rehabilitation of exposed areas, as well as dust suppression measures using non-potable water, will effectively control this impact during construction. Ongoing management of vehicle speeds will largely address this during the Operation Phase.</p> <p>The BAR does note that Panel Technology One will result in the generation of less dust, and this is one of the reasons it is the preferred technology.</p>	

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14.	7. ensure a complaints registers/ reporting system		This requirement is included in Table 3-2 and Table 4-1 of the EMPr.	
15.	8. effectively assess the land/geology, as the planned areas might be prone to sinkhole formations (dolomitic areas)		<p>Preliminary geotechnical investigations found that (GaGE Consulting, 2023, Report on the Geotechnical Desktop Study for Stilfontein Solar Photovoltaic Cluster):</p> <ul style="list-style-type: none"> • According to the Vegetation Atlas of South Africa, the site is falls within the Vaal Reefs Dolomite Sinkhole Woodland; • Council for Geoscience (CGS) confirmed no sinkholes have formed within the proposed Stilfontein Custer; • It is hypothesised that the (underground) open stopes caused by the mining will not have an influence on the surface stability of the site because the stopes are very deep and are covered by generally competent dolomite and chert rock of the Malmani Subgroup; and • Undermining will not pose any fatal flaws to the proposed development <p>Mainstream will obtain further geotechnical input during the detailed design phase to investigate this aspect and determine suitable mitigations measures for facility design as may be required.</p>	
16.	<p>Receive our comment from Rays Hope NPO Reg Number: 284-325 as interested party with reference number: SRK Project No: 581887 Rays Hope NPO has interests to benefit economically to these massive energy development project, and South Africa Mainstream Renewable Power Development (Pty) Ltd company must consult with the following in terms of NEMA Act, DMRE, if it is possible to do so;</p> <ul style="list-style-type: none"> • Landowners • People who live on the land, including tenants, farmworkers, domestic workers and their families • People who have a land claim over the land • People who work on the land, including labourers, seasonal workers, farm managers, sharecroppers and any others who use the land, even temporarily • Neighbouring communities • Traditional authorities and individual holders of informal rights to communal land • Social groups and institutions like schools, church groups and community based organisations • Civil society organisations • Local councillors • Local municipality • Any other person, community or organisation that wishes to be consulted. 	Malebo Motloung (Rays Hope NPO); 16 April 2023	<p>Stakeholder engagement forms a key component of the BA process and has been undertaken in accordance with Chapter 6 of the EIA Regulations, 2014 and POPIA. This is described in Chapter 5 of the BAR.</p> <p>SRK made a concerted effort to identify various local, provincial and national authorities, local ratepayers' forums and surrounding landowners and occupants for inclusion in the project database. SRK also obtained the assistance of several local stakeholders who disseminated project notification in local resident communication groups.</p> <p>Relevant authorities are automatically registered as IAPs. The stakeholder database currently includes over 200 IAPs and has been updated throughout the BA process.</p> <p>Mainstream is aware that there are land claims on Farm Rietfontein and RE of Portion 4 and RE of Portion 3 of farm Doornplaat 410. If there are any valid and enforceable land claims for applicable properties, Mainstream will engage with the relevant authorities and parties as may be required by law.</p>	All projects
17.	We request a copy of the environmental management programme or plan and the environmental impact assessment report before or after the consultation meeting.		The Draft BAR and EMPr for all nine PV applications is available online. The link to the relevant documents was resent on 17 April 2023, however it was available during the full comment and response period as part of the public participation process.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
18.	<ul style="list-style-type: none"> A copy of the social and labour plan 		<p>Not applicable (this is a requirement of Mining License applications in terms of the Mineral and Petroleum Resources Development Act 28 of 2002).</p> <p>Socio-economic impact and benefit management actions such as employment, procurement and skills development training as well as other socio-economic impact and benefit management actions are included in Table 3-2 and Table 4-1 of the EMPr to meet the following socio-economic impact management outcomes (see Table 1-4 of the EMPr):</p> <ul style="list-style-type: none"> Maximised capital investment in the national, regional and local economy Maximised generation of employment, income and skills No or very limited social disruption and change in social dynamics No or very limited disruption to residents' quality of life and risk due to construction activities 	
19.	<ul style="list-style-type: none"> A copy of the environmental authorisation application 		<p>All relevant information in the Application Form is captured in the BAR. A copy of the EA will be sent to all registered Interested and Affected Parties (including Rays Hope NPO) once issued.</p>	
20.	<ul style="list-style-type: none"> All scientific reports that the mining company may have that show what the impacts of mining will be 		<p>Although this is not a mining project, all specialist reports that were undertaken as part of the BAR process are included in Appendix D of the Draft BAR.</p>	
21.	<ul style="list-style-type: none"> Any social impact assessment 		<p>All specialist reports (including socio-economic impact assessment) that were undertaken as part of the BAR process are included in Appendix D of the Draft BAR</p>	
22.	<ul style="list-style-type: none"> A copy of the list of interested and affected parties 		<p>To comply with the POPIA, documents containing personal information of stakeholders will not be made available in the public domain. However, they will be submitted to the competent authority.</p>	
23.	<ul style="list-style-type: none"> A copy of any consultation reports. 		<p>This document (Issues and Responses Summary) will be sent to all registered IAPs when the Final BAR is submitted to DFFE. The Stakeholder Engagement Process that has been followed is set out in detail in Chapter 5 of the BAR.</p>	
24.	<p>Comment: Environmental Impacts: Wind power generates electricity without releasing toxic pollution or CO2 emissions. Wind is abundant and inexhaustible. At the same time, however, the construction and operation of wind turbines may possibly lead to unfavourable environmental impacts on biodiversity, land-use and communities in the form of noise and visual impacts. In addition to species disturbance and mortality, the issues of habitat loss and fragmentation needs to be considered for all affected living organisms inclusive of plants, invertebrates and vertebrates including birds and bats. Potential impacts from wind energy installations must therefore be assessed and mitigated when necessary. The National Environmental Management Act (Act 107 of 1998; as amended) defines environmental impact assessment (EIA) as the procedure which ensures that impacts of projects are identified and assessed before authorisation is considered. The main objective is to avoid or minimise negative effects from the beginning of a project rather than trying to</p>		<p>Although this comment relates mainly to wind power, the intent and underlying principle of the comment (which supports the notion of sustainable development and local empowerment) is noted and accounted for in Sections 6 and 7 of the BAR. Environmental impact and benefit management actions are included during the Construction, Operation and Decommissioning Phases of the project (Table 3-2, Table 4-1 and Table 5-1 of the EMPr)</p>	

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	mitigate them later. Economically we need the department of energy to grant Nao (sic) Solar license so the project can be implemented and create jobs for local communities.			
25.	The Electricity Regulation Act (No 47 of 1999, as amended in 2007; RGA) provides a national regulatory framework for the electricity supply industry and makes the National Energy Regulator of South Africa the overseer and enforcer of the framework. The act requires registration and licensing of anyone wanting to generate, transmit, reticulate (i.e. network), distribute, trade, or import and export electricity.	Malebo Motloung; (Rays Hope NPO); 16 May 2023	Mainstream is aware of the regulatory requirements governing the generation, transmission, reticulation, distribution, trade, or import and export of electricity.	All projects
26.	We request the department to grant this project license to enable job creation, we believe that they have conducted through consultation.		We note the stakeholders' view and the request for NERSA to support the project application.	
27.	Please send me more information about the project so that I can make comments and be able participate fully.	Kesaobaka Archibald Monnahela (Gizabo Holdings); 17 April 2023	The stakeholder was sent the notification letter regarding the opportunity to register as an Interested and Affected Party (IAP) and the release of BARs for public review (where to access the BARs and who to contact for further information) on 17 April 2023.	All projects
28.	Re. SRK Project Number: 581877/Project 1, STILFONTEIN, NORTHERN CAPE Please note that the town Stilfontein shown on the map is in the North West Province, not in the Northern Cape:	Friedemann Essrich (JB Marks Consumer & Ratepayers Association) 15 May 2023	SRK acknowledges an administrative error was made in the title of the Executive Summary of the Report only (which has since been corrected), which incorrectly referred to the site being located in the Northern Cape (the rest of the Executive Summary correctly referred to the site being in the North West. The location of the project (s) within the North West Province was correct in all other areas of the BA Report, including the front page and all maps.	Spoonbill
29.	Good day my name is Hendrick Mongale I would like to inquire about solar plant that you are going to building in Buffeldoring, because I'm staying here and also how I am going to benefit in terms of work or community development and also develop small business because I have fencing & construction company is registered.	Hendrick Mongale; 7 May 2023	All registered stakeholders will be notified of the outcome of the application for environmental authorisation for the project. Mainstream anticipates that the project will generate approximately 220 direct construction jobs during the 18 – 24-month Construction Phase. Based on typical Renewable Energy Independent Power Producers Procurement Programme (REIPPPP) requirements, which include targets for national and local job creation, it is assumed that virtually all semi-skilled and unskilled positions (assumed ~85% of jobs, or ~180 jobs) will be filled by local labour.	All projects
30.	1. The City of Matlosana has no objection to the proposed Basic Assessment of the Solar Energy Facility.	The City of Matlosana; 16 May 2023	It is noted that City of Matlosana has no objection to the proposed PV Facilities.	All projects
31.	2. However, the appointed consultant for the Land Development application will have to consider the following as part of its motivation when submitting an application:		The following points will be addressed in the land use planning applications that will follow should environmental authorisation be granted.	
32.	<ul style="list-style-type: none"> Will this Development be feeding directly onto the ESKOM Grid 		Yes, the proposed project is intended to form part of a submission under the REIPPPP.	
33.	<ul style="list-style-type: none"> Will the developer be requiring any approvals for Servitudes for their Infrastructure, and if so is there a proposed route to this effect? 		Yes, servitudes are required for the powerline route and pylon positions for the 11-33kV transmission lines (which are a component of the project to be	

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			<p>installed underground as far as possible). The 11-33kV cabling will be sited during the detailed design phase.</p> <p>The 132kV transmission line from the on-site substation to the MTS is not included in the BAR and associated Site Layout Maps for the PV projects since all grid infrastructure (except for the 11-33kV lines) will be applied for in separate EA applications.</p> <p>If and when the project is awarded preferred bidder status (post EA) detailed design plans will be compiled (that align with the Site Layout Plan to be approved in the EA – see Figure 7-3) and the necessary servitude registration applications will take place prior to construction.</p>	
34.	<ul style="list-style-type: none"> Is there a Power Purchase Agreement with Eskom in place, or will they be requiring the Council to conclude one with them? 		Mainstream confirms that there is no Power Purchase Agreement (PPA) yet as project need to be awarded first under REIPPPP and only then can a PPA be negotiated with all relevant parties.	
35.	<ul style="list-style-type: none"> Is it compliant with the SDF i.e. consider the Urban Edge? 		The Draft BAR considered the City of Matlosana Integrated Development Plan 2017 – 2022. However, the 2022-2027 update is now available and the BAR has been updated (Section 2.2.8 of the Final BAR) to consider this.	
36.	<ul style="list-style-type: none"> Besides the requests for services and Land Use Applications Approval, what are the other requirements from the Municipality in the medium to long term? and; 		No additional services from the municipality are envisaged at this stage. Should further services be required at a later stage, the applicant will liaise with the Local Municipality accordingly.	
37.	<ul style="list-style-type: none"> Since this development falls under the REZ10, why is this a BA (Basic Assessment) and not a full EIA? What other considerations have been made especially in view of the fact that the development is proposed on a Farm (Subdivision/Rezoning of Agricultural Land) and are those considerations aligned to any other statutory process? 		<p>GN 142 of 2021 (Identification of Procedures to be Followed when Applying for or Deciding on an Environmental Authorisation Application for Large Scale Wind and Solar Photovoltaic Facilities, when occurring in Renewable Energy Development Zones) stipulates that renewable energy projects triggering LN2 Activity 1, including associated activities necessary for the realisation of such a facility (e.g. 12 m wide access roads), must follow a BA process if the entire facility lies within a REDZ. Therefore, a full EIA is not required.</p> <p>A rezoning application will be applied for with the relevant Town Planning Department with the Local Municipality. This is currently being drafted and submission will follow once the application is completed.</p> <p>In addition to rezoning, all other relevant permits will be applied for as is required for renewable energy facilities. These are at various stages of development. For further information on permitting requirements, please refer to Section 2.1 of the BAR.</p>	
38.	3. Can you kindly provide further clarity on the aforementioned point (The Basic Assessment), the other concerns may be addressed in the Land Development application.		As above.	
39.	The Environmental Management Unit has No objection to the proposed development, However, the developmental activities must comply with all relevant environmental legislation and an environmental management plan must be in place to deal with any	JB Marks Local Municipality, Environmental	It is noted that JB Marks Local Municipality Environmental Management Unit has no objection to the proposed PV Facilities.	All projects

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	environmental impacts that might arise from the developmental activities to ensure compliance with the provision for duty of care and remediation of the environmental damage as contained in Section 28 of the National Environmental Management Act (Act 107 of 1998) as amended:	Management Unit: 16 May 2023	This BA process has been undertaken in support of the requirements of NEMA. <i>EMPrs (PV Facility and Associated Infrastructure Environmental Management Programme and DFFE's Generic EMPr for the Development and Expansion of Substation Infrastructure for Transmission and Distribution of Electricity) are in place for each project (see Appendix E of BAR).</i>	
40.	i. Air Quality Management: Dust, Fires and Explosions- during construction and operation.		Changes in air quality due to dust generation is an impact identified during the BA process that will be mitigated by strict implementation of the EMPr requirements pertaining to dust management. The EMPr includes the requirement for the Contractor to provide a Method Statement for dust management, to be approved by the Environmental Control Officer prior to the start of construction. Please refer to response to comment 6 regarding fire management.	
41.	ii. Emissions and gases from Solar Panels – during operation		Solar panels are inert and will not give off any emissions or gases during operation.	
42.	iii. Waste Management: management of all types of waste and disposal at the registered landfill site- during construction and operation (plans in place for disposal and recycling of panels after they have been decommissioned after its lifespan).		See response provided to comment 9 and 10.	
43.	iv. Prevent groundwater and surface water pollution (water resources nearby)-during construction and construction.		The Stormwater and Erosion Management Plan included in Appendix B of the EMPr will be implemented to manage stormwater in order to minimise erosion and prevent impacts to habitat quality and receiving water bodies and / or groundwater as a result of contaminated stormwater, erosion and / or sedimentation. The proposed project is not expected to have significant impacts on groundwater during construction or operation. Management measures are included in the EMPr (Table 3-2) to avoid potential soil and / or groundwater pollution during the Construction Phase associated with the storage and handling of hazardous substances, concrete management, waste management, vehicle and equipment re-fuelling and maintenance and response to environmental pollution. The Shrike (Project 5) and Sunbird (Project 2) PV Projects are the only projects located within 100m from freshwater resources. Potential impacts on freshwater resources are addressed in Section 6.3 of the BA Report, including recommended management of potential impacts. These management measures are carried through to the respective EMPrs.	
44.	v. Water conservation initiatives must also be implemented- during construction and operation.		The EMPr has been updated to include measures to conserve water during the Construction and Operation Phases (Section 3.3 and 4.3 of the EMPr).	
45.	vi. Biodiversity loss-both fauna and flora species must be protected.		It is inevitable that a project of this nature will impact on the natural environment as areas are transformed. Through the detailed study of the	

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			<p>baseline and careful assessment of the potential impacts, specialists provided vital information to enable an understanding of the overall impact of the project on biodiversity, made recommendations as to if and how these impacts can be managed and reduced in significance through mitigation and opined on whether these impacts and losses are acceptable in the context of the greater environment.</p> <p>Potential impacts on biodiversity are addressed in detail in Sections 6.3 (Freshwater Ecology), Section 6.4 (Terrestrial Ecology) and Section 6.5 (Avifauna) of the BAR, including recommended management of potential impacts. These management measures are carried through to the respective EMPs.</p> <p>All surface water features have been avoided in the project footprint including a 15m buffer, so there will be no direct impacts to any surface water features. The Freshwater Specialist's opinion (see BAR Section 6.3.4) is that the residual impact posed by the project on wetlands is <i>very low</i>, for all projects except for Shrike (which is <i>low</i>) and confirmed that the proposed projects are thus deemed acceptable from a freshwater ecology perspective.</p> <p>The Terrestrial Ecologist has assessed the potential impacts on terrestrial fauna, flora and habitats for all phases of the project and considered the impacts of two Panel Technology alternatives (see Section 6.4 of the BAR). The following impacts were assessed for the Construction, Operational and Decommissioning Phases:</p> <ol style="list-style-type: none"> 1. Degradation and Loss of Habitat and Protected Species 2. Spread of Alien and Invasive Species 3. Displacement and Loss of Fauna <p>The Terrestrial Ecology Specialist's opinion is that the project impacts can be effectively mitigated to an acceptable residual impact. Panel Technology One is preferred as it has lower residual impacts on terrestrial ecology. Panel Technology Two may also be acceptable but requires more intensive mitigation and management, notably related to dust suppression, alien vegetation control and rehabilitation. Development within areas of high sensitivity is not regarded as a fatal flaw for the project and can be effectively mitigated.</p> <p>The Avifauna Specialist's opinion is that no fatal flaws were discovered at the project site during the investigations. The specialist therefore recommends that from an avifauna perspective the activity can be authorised, on condition that the proposed mitigation measures are implemented.</p> <p>Extensive mitigation measures are described in these three sections, all of which have been incorporated into the EMP as essential measures to avoid or limit the impacts on fauna and flora.</p>	

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46.	<p>The application for environmental authorisation and draft Basic Assessment Report (BAR) dated April 2022 and received by this Department on 05 April 2023, refer.</p> <p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p>(a) Listed Activities and Application Form</p> <ul style="list-style-type: none"> Please ensure that all relevant listed activities in the EIA Regulations, 2014 (per the latest 2021 amendments) 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. Kindly also expand on the project description in the BAR to provide details of the associated infrastructure, such as the service road which may impact on watercourses per the listed activities applied for. 	<p>DFFE Integrated Environmental Authorisations; 8 May 2023; 10 May 2023;</p>	<p>All listed activities applied for are considered to be relevant to the proposed project, except for Listing Notice 1 Activity No. 14, no longer considered to be triggered since the BESS (lithium batteries) will be pre-assembled and delivered to the site. BESS are not regarded by the DFFE as facilities or infrastructure for the handling or storage of a dangerous good if fully assembled off site (DFFE Reference IQ/20/0025). The Application Form has therefore been updated to remove Listing Notice 1 Activity 14 for all PV Projects.</p> <p>Associated infrastructure (electrical, buildings, BESS, lay down areas, access roads and ancillary infrastructure) for each of the PV projects is described in Table 3.4 and Section 3.6 of the BAR. Access roads are described in Section 3.6.7. The N12 will provide access to each project.</p> <p>In response to this comment the site layout detail is presented in Figure 7-3 of the BAR to include the following associated infrastructure (as per the description previously provided in the BAR):</p> <ul style="list-style-type: none"> Access roads from the N12 to each project; BESS footprint; IPP-side and Eskom-side of the on-site substation; Operation and Maintenance (O&M) building footprint; and Construction laydown area footprint. <p>The access road from the N12 to all projects in the Stilfontein PV Cluster is not located within 100 m of HGM1 and / or HGM2.</p> <p>Potential impacts on freshwater ecology are described in Sections 6.3 of the BAR, including recommended management of potential impacts. These management measures are carried through to the respective EMPs. The Freshwater Specialist's opinion (see BAR Section 6.3.4) is that the residual impact posed by the project on the identified wetlands (HGM1 and HGM2) is deemed very low, for all projects except for Shrike, which is low and confirmed that the proposed project is thus deemed acceptable.</p> <p>Internal roads will be graded and a suitable road surface material (e.g. gravel) will be used. The thickness and type of the road surface material will be dictated by <i>in situ</i> testing to assess if the material is suitable for compaction, or whether additional structural layers are required. Access roads not exceeding 12 m in width will be constructed to each project site. Internal access roads between solar arrays will not be wider than 6 m.</p>	<p>Snipe, Starling,</p>
47.	<ul style="list-style-type: none"> If the activities applied for in the application form differ from those mentioned in the final BAR, 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>Please refer to response to comment 46 (first paragraph). The Application Form completed is the latest application form available on DFFE's website.</p> <p>The Application Form has been updated to remove Listing Notice 1 Activity 14 and to include the property details for the access road from the N12 to the project site, for all PV Projects.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
48.	<ul style="list-style-type: none"> It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of 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. 		<p>This comment relates specifically to the Snipe and Starling applications. Neither of these project sites overlap with geographically designated areas in terms of GN R. 985 and no Listing Notice 3 activities are therefore triggered by these projects.</p> <p>The Snipe and Starling PV Projects do fall within an Ecological Support Area (ESA) 1 area. To that end, comments have been sought from DFFE: Biodiversity and Conservation, JB Marks Local Municipality: Environmental Management Unit City of Matlosana Local Municipality. SRK has also been in correspondence with Integrated Environmental Management: North West Department of Economic Development Environment Conservation and Tourism (NWDEDECT) and has sought their input on the status of the North West Biodiversity Sector Plan⁴. Four representatives of the NWDEDECT (two Deputy Directors and representatives from Development Impact Management and Environmental Quality Management) have been included on the database.</p> <p>The NWDEDECT confirmed that the North West Biodiversity Sector Plan 2015 is a Systematic Biodiversity Plan adopted by the Province.</p> <p>CBA's (as identified in the North West Biodiversity Sector Plan 2015) and ESAs identified in the project region are shown in Figure 2-2. Snipe and Starling PV Projects are not located in CBA's as identified in Systematic Biodiversity Plans adopted by the Competent Authority (only Shrike and Stilfontein PV Projects are) and therefore Listing Notice 3 Activity 4 does not apply to Snipe and Starling PV Projects.</p>	
49.	<p>(b) Technical details You are required to include the following dimensions:</p> <ul style="list-style-type: none"> Development footprint 		<p>For the purposes of the assessment, a worst-case scenario was assessed, looking at total maximum development footprints for the projects, which are estimated as follows (see Table 3.5 in BAR):</p> <p>Spoonbill PV: 345 ha Sunbird PV: 280 ha Swallow PV: 310 ha Snipe PV: 310 ha Shrike PV: 405 ha Stilfontein PV: 280 ha</p>	

⁴ The following email correspondence was received from Adriaan van Straaten (Control Environmental Officer Grade B: Integrated Environmental Management, NWDEDECT) on 16/03/2023:

'The requirement to NEMBA is only for Bioregional Plans to be gazetted by means of provincial gazette. Biodiversity Sector Plans does not have the same requirement (as it is seen as a lower tier plan due to the less stringent public participation processes and not having to be officially vetted through SANBI). Notwithstanding that, the Sector Plan was adopted as an official provincially policy document for implementation by the provincial MEC responsible for environment (through the official publication of the document). As such it that needs to be taken into considering during EIA authorization processes due to it being a official policy position of the province.'

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
			Sparrow PV: 330 ha Starling PV: 275 ha Swift PV: 220 ha	
50.	<ul style="list-style-type: none"> Area occupied by inverter / transformer stations / substations / BESS 		<p>See Table 3-4 in BAR for key infrastructure components and the approximate development footprint of each component.</p> <p>The proposed IPP-side on-site substation will have a development footprint of up to 2 ha (100 m x 200 m) within the nominal 4 ha substation area (200 m x 200 m) assessed in the BA. A 100 m wide buffer around each on-site substation has been assessed to accommodate powerline tie-ins at any point of the substation and other associated activities.</p> <p>The BESS will have a footprint of up to 10 ha, mostly comprising an assemblage of numerous container-sized battery modules.</p>	
51.	<ul style="list-style-type: none"> Number of inverters required 		Aspects related to required inverters and transformers, such as number and capacity, will be finalised during detailed design prior to construction, but do not materially affect project layout or project impacts.	
52.	<ul style="list-style-type: none"> Capacity of on-site sub- and switching station 		The IPP-side of the on-site substation comprises an inverter (step up facility) to convert power from DC to AC and step up the voltage from 11-33 kV to 132 kV.	
53.	<ul style="list-style-type: none"> Area occupied by both permanent and construction laydown areas 		See Table 3-4 in BAR.	
54.	<ul style="list-style-type: none"> Area occupied by buildings 		See Table 3-4 in BAR.	
55.	<ul style="list-style-type: none"> Battery storage maximum height, volume, and capacity 		The BESS is described in Section 3.6.4.2 of the BAR. Solid state lithium-ion batteries will be used. Solid state battery cells are integrated into battery modules, installed in standard racks in specially prepared shipping containers. Containers will be placed on raised concrete plinths and may be stacked on top of each other to a maximum height of approximately 15 m. Each container has a footprint of ~60 m ² and is ~4 m high. Additional equipment, e.g. inverters and temperature control equipment, may be positioned between the battery containers. Sufficient spacing between each container must be ensured to adhere to safety requirements.	
56.	<ul style="list-style-type: none"> Length and width of access road and internal distribution roads 		<p>See response to comment 46 and Section 3.6.7 of the BAR.</p> <p>The PV facility will make use of existing access roads wherever possible. The N12 provides convenient and suitable access to the site.</p>	
57.	<ul style="list-style-type: none"> Height of the fence 		See Table 3-4 in BAR.	
58.	<p>(c) Coordinates</p> <p>You are further required to include the following coordinates in the final BAR:</p> <ul style="list-style-type: none"> Four corner of the PV Facility 		The coordinates of the corners and bend points of the proposed PV facility are included in Figure 3-15 which shows the layout of the project. The coordinates of the PV project are listed in a table on the map.	

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59.	<ul style="list-style-type: none"> Onsite IPP substation and Eskom substation 		In response to this comment the corner co-ordinates for the on-site IPP-side and Eskom-side of the substation has been included in the application form and BAR.	
60.	<ul style="list-style-type: none"> Access roads 		In response to this comment, access roads from the N12 to each project site and associated substation has been included in the application form and BAR.	
61.	<ul style="list-style-type: none"> Battery energy storage 		In response to this comment the footprint and associated co-ordinates of the BESS have been included in the application form and BAR (Figure 3-15).	
62.	<p>(d) Locality & Sensitivity Maps</p> <ul style="list-style-type: none"> The locality map provided does not meet the minimum requirements indicated on page 10 of the application form. The map must indicate the following: <ul style="list-style-type: none"> an accurate indication of the project site position as well as the positions of the alternative sites, if any; 		<p>Locality information is provided in Figure 1-1 and Figure 1-2.</p> <p>Figure 1-1 presents the location of Stilfontein cluster (showing each project site within the cluster) in a regional context, with nearby towns of Stilfontein and Khuma illustrated. The inset shows the site's location in the context of the North West Province as a whole, in relation to larger towns such as Vryburg and Rustenburg.</p> <p>Figure 1-2 shows the project sites location in a more detailed context of (farm) property boundaries and names, local rivers (Koekemoerspruit) and nearby roads (N12 and R502).</p> <p>There are no alternative sites under consideration only alternative substation locations.</p>	
63.	<ul style="list-style-type: none"> all supporting onsite infrastructure e.g. roads (existing and proposed service road); 		<p>In response to this comment the site layout detail is presented in Figure 7-3 of the BAR to include the following associated infrastructure (as per the description previously provided in the BAR):</p> <ul style="list-style-type: none"> Access roads from the N12 to each project; BESS footprint; IPP-side and Eskom-side of the on-site substation; Operation and Maintenance (O&M) building footprint; and Construction laydown area footprint. 	
64.	<ul style="list-style-type: none"> road names or numbers of all major roads in the area, as well as the roads that provide access to the site(s); 		Please refer to response to comment 63.	
65.	<ul style="list-style-type: none"> the location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; 		<p>The location of all sensitive features on the project site and surrounds is shown in the Integrated Sensitivity Map in Figure 7-1. This maps residences, heritage resources, water reservoirs (avifauna sensitivity), ecological sensitivity, freshwater resources (wetlands and associated buffers), rocky ridges and CBAs and ESAs. Not all sensitive environmental features were recommended as no-go areas by specialists (as is evident in the updated legend of the Integrated Sensitivity Map- see Figure 7-1 in BAR).</p> <p>The sensitive avifauna waterpoints (existing reservoirs including a 100m area around each reservoir) are shown on the Integrated Sensitivity Map (as</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
			<p>provided by the avifauna specialist). The avifauna specialist report explains that the water reservoirs are crucially important for priority avifauna, and many non-priority species. It is therefore recommended by the specialist to retain or relocate existing waterpoints, including a 100m area around each waterpoint to ensure at least four waterpoints are retained within the Project Cluster.</p> <p>Further to this, SRK recommends at least one waterpoint for every two project is retained or relocated if all nine projects are not developed.</p> <p>If the environmental sensitivities shown on the Integrated Sensitivity Map (Figure 7-1) are overlain onto the Locality Map for the Project (Figure 1-2) (and colours for farm boundaries removed from the Locality Map), the map outcome would be the same map as the Integrated Sensitivity Map (showing the project's location and footprint in relation to sensitive features).</p> <p>Figure 7-1 has therefore been renamed to "Project Location and Integrated Sensitivity Map". In addition, a new map, titled Integrated sensitivity map: Stilfontein Cluster area (Figure 7-2) has been included in the BAR. Figure 7-1 and Figure 7-2 in the BAR meet the requirements of the Locality Map indicated on page 10 of the application form.</p>	
66.	<ul style="list-style-type: none"> ○ closest town(s); 		See above – the closest towns are indicated on Figure 1-1 Locality Map	
67.	<ul style="list-style-type: none"> ○ buffer areas; 		Buffer areas are included in the sensitivity map in Figure 7-1.	
68.	<ul style="list-style-type: none"> ○ all "no-go" areas; 		<p>No-go areas (high rocky ridge on Sparrow project site, heritage resources [and associated buffers] and wetlands [including 15 m buffer]) are shown in Figure 7-1.</p> <p>Not all sensitive environmental features were recommended as no-go areas by specialists (as is evident in the updated legend of the Integrated Sensitivity Map- see Figure 7-1 in BAR).</p>	
69.	<ul style="list-style-type: none"> ○ a north arrow; and 		This is featured on all maps.	
70.	<ul style="list-style-type: none"> ○ a legend. 		This is provided on all maps.	
71.	<ul style="list-style-type: none"> • The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure. Google maps will not be accepted. 		<p>In order to ensure that the detail of the sensitivity mapping is not lost to scale, the sensitivity mapping was presented per project (Figure 7-1 in BAR). In the Final BAR, an additional sensitivity map has been included that shows the sensitive features of the entire Stilfontein Cluster(Figure 7-2 in BAR)</p> <p>The map showing neighbouring renewables projects (within a 30km radius of the centre point of the Stilfontein Cluster) is presented in Figure 4-29 This has been updated in the Final BAR to reflect currently available data (for Q1 2023) as well as existing grid infrastructure. Attempts to show the sensitivity of the project site at this scale were not successful, so we have retained the sensitivity mapping as separate from the cumulative map.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
72.	<ul style="list-style-type: none"> Ensure that the GPS co-ordinates (bend points) of the development are provided. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection. 		Please refer to response to comment 58 .	
73.	<p>(e) Specialist Assessments The following must be included in the final BAR:</p> <ul style="list-style-type: none"> Declaration forms of all specialist's studies. 		The specialist declarations have been included as appendices, in all respective specialist studies included in the Final BAR.	
74.	<ul style="list-style-type: none"> The table indicates the preferred options recommended by the specialists. 		Specialist opinions (including preferred options) are included in Chapter 6 of the Final BAR.	
75.	<ul style="list-style-type: none"> Name of study, author, and date of study must all be listed in the table. 		This is included in Table 4-1 in the Final BAR. All specialist reports are dated.	
76.	<ul style="list-style-type: none"> Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice 		See response to comment 74 (specialist opinions). EAP recommendations are included in Section 7.3 of the Final BAR. All specialist recommendations have been carried across into the essential mitigation tables in Chapter 6 of the BAR and none of them contradict one another.	
77.	<ul style="list-style-type: none"> 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 		All specialist studies are final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and do not recommend further studies to be completed post EA.	
78.	<ul style="list-style-type: none"> Please include a table in the BAR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. 		This information is provided in Table 6-1 of the BAR. This table has been amended in the Final BAR to reflect the exact format requested in the comment.	
79.	<ul style="list-style-type: none"> Please indicate in the BAR, any recommendations of the EAP or specialists, which are to be included as conditions of authorisation, per Appendix 1(3)(1)(n). 		Specific recommended mitigation and optimisation measures (EAP and specialists) are presented in Section 6. In addition, Sections 7.3 and 7.4 of the BAR, include recommendations that should be carried through as conditions of authorisation.	
80.	<ul style="list-style-type: none"> 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. 		Specialist assessments were conducted in accordance with 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 107 of 1998, 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).	
81.	<p>(f) Cumulative Assessment</p> <ul style="list-style-type: none"> 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: 		The Cumulative Impact Assessment in Section 6.10 of the BAR considers a 30km radius from the centre point of the Stilfontein Cluster, a total of ~2 830 km ² .	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
82.	<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. 		<p>By and large, the cumulative impacts of past and existing projects are incorporated in the baseline and the focus hereafter is on planned and foreseen projects and activities. The future developments that are considered are:</p> <ul style="list-style-type: none"> • Those for which EAs have already been granted; • Those that are currently subject to environmental authorisation applications and for which there is currently information available; and • Those forming part of Provincial or National initiatives. <p>The project is part of the proposed, larger Stilfontein Cluster which comprises up to nine up to 150 MW PV facilities and ancillary infrastructure located on neighbouring properties. The total area directly affected by the proposed Stilfontein PV Cluster projects is ~30 km². The project is also located within the Klerksdorp REDZ, which may attract additional renewable energy projects while grid capacity remains available. Several solar farms within a 30 km radius of the project area received EAs in the past (see Section 6.10 and Figure 4-29 of the BAR), though none have established. The total area taken up by these authorised renewable energy projects is ~63 km². The combined area affected by authorised renewable energy projects within the 30 km radius of the Stilfontein PV Cluster is thus ~93 km², with the Stilfontein Cluster projects accounting for ~32.5%.</p> <p>It is not possible to accurately determine the amount of transformed land in the entire ~2 830 km² without commissioning an extensive study.</p>	
83.	<ul style="list-style-type: none"> ○ 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. 		<p>This has been done insofar as the findings of specialist investigations into all nine PV projects in the Stilfontein Cluster have been considered in the cumulative impact assessment. Specialist findings from other projects in the 30 km radius have not directly informed the assessment, other than that, by and large, the cumulative impacts of past and existing projects are incorporated in the baseline.</p>	
84.	<ul style="list-style-type: none"> ○ The cumulative impacts significance rating must also inform the need and desirability of the proposed development. 		<p>Section 7.2.2 (Socio-Economic Analysis of Need and Desirability) and Section 7.2.3 (Ecological Need and Desirability) of the Project has been updated in the Final BAR to incorporate a specific statement on cumulative impacts.</p>	
85.	<ul style="list-style-type: none"> ○ A cumulative impact environmental statement on whether the proposed development must proceed. 		<p>Section 7.1 Environmental Impact Statement has been updated in the Final BAR to incorporate a specific statement on cumulative impacts.</p>	
86.	<p>(g) Undertaking under Oath</p> <ul style="list-style-type: none"> • The Department has noted that the submitted application form has an undertaking under oath or affirmation by the EAP. Please note that the final BAR must also have an undertaking under oath/ affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include: 		<p>The Final BAR contains an undertaking under oath/ affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended (Appendix A of the Final BAR).</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	<p>“an undertaking under oath or affirmation by the EAP in relation to:</p> <ul style="list-style-type: none"> ○ the correctness of the information provided in the reports; ○ the inclusion of comments and inputs from stakeholders and I&APs; ○ the inclusion of inputs and recommendations from the specialist reports where relevant; and ○ 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”. 			
87.	<p>(h) Public Participation Process</p> <ul style="list-style-type: none"> • Please ensure that the following information is included with the final BAR <ul style="list-style-type: none"> ○ Proof of a newspaper advert, site notices and written notification letters to the landowners; ○ A list of registered interested and affected parties (I&APs) as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended; ○ Copies of all comments received during the draft BAR comment period; and ○ A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report. • Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and the approved public participation plan • Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the final BAR. 		<p>The Public Participation Process that has been followed is described in Section 5 of the Final BAR The following is included in the Final BAR:</p> <ul style="list-style-type: none"> • Proof of a newspaper advert, site notices and written notification letters to the landowners (Appendix B of the Final BAR); • A list of registered IAPs as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended (Appendix B of the Final BAR); • Copies of all comments received during the draft BAR comment period (Appendix C of the Final BAR); and • An Issues and Responses Summary which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR, including comments from DFFE: Integrated Environmental Authorisations. (Appendix C of the Final BAR). <p>Proof of correspondence with the various stakeholders is included the Final BAR (Appendix C of the Final BAR). The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p> <p>SRK has made every effort to ensure that all issues raised and comments received during the circulation of the Draft BAR from registered I&APs and organs of state which have jurisdiction (including DFFE: Biodiversity) in respect of the proposed activity are adequately addressed in the Final BAR.</p>	
88.	<p>(i) Environmental Management Programme</p> <ul style="list-style-type: none"> • Please ensure that any specific mitigation measures identified in the BAR and specialist reports are incorporated into the site-specific section of the generic Environmental Management Programmes (EMPr) (contemplated in Regulations 19(4) for substation and overhead electricity transmission and distribution infrastructure). 		<p>Part C Section 8 (Site Specific Environmental Attributes) of the Generic EMPr for the <i>Development or Expansion of Substation Infrastructure for the Transmission and Distribution of Electricity</i> includes site specific impact management outcomes and impact management actions.,.</p>	
89.	<ul style="list-style-type: none"> • Please also include in the EMPr, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr (for the construction and 		<p>Table 3-1 of the EMPr (Appendix E1) has been updated to include the frequency of Statutory Environmental Audit Report(s) required during the</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	post-construction monitoring phases), and for the submission of such compliance reports to the competent authority.		Construction and Post Construction Phase and the requirement to submit Audits to the DFFE.	
90.	Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded, and the post construction monitoring requirements finalised, as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.		Section 7-4 of the BAR has been updated to include the requisite information. If approved, it is SRK's opinion that the EA should require construction to commence within five years and that the EA should remain valid for 10 years. SRK recommends that one statutory environmental audits is conducted upon completion of the Construction Phase.	
91.	General You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority- (a) a basic assessment report, inclusive of 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 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.		The Final BAR including the required attachments has been submitted to DFFE before 09 July 2023, which is the 90-day cut off, following submission of the Application form on 05 April 2023.	
92.	Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: " <i>the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the documents contemplated in subregulation 1(a) will be submitted within 140 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 will be subjected to another public participation process of at least 30 days.</i>		No significant changes or new information has been added to the Final BAR or EMPr. All components of the solar plant and associated infrastructure relevant to the application has been fully assessed within the project site and covered in the impact assessment and relevant specialist studies. However, DFFE requested more specific layout information as described in the Draft BAR be shown on a map. Whilst fully assessed and not new information, this site layout detail is presented in Figure 7-3 of the BAR at the request of DFFE. The site layout detail is for the technically preferred on-site substation shown in Figure 3-15 in addition to the other requested components of the facility and associated infrastructure. The following associated infrastructure (as per the description previously provided in the BAR therefore not new information) is included in Figure 7-3: <ul style="list-style-type: none"> • Access roads from the N12 to each project; • BESS footprint; • IPP-side and Eskom-side of the on-site substation; • Operation and Maintenance (O&M) building footprint; and • Construction laydown area footprint. 	
93.	Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.		Noted – the timeframes have been carefully adhered to.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
94.	<p>1. Competent Authority</p> <p>a) It is not clear why this Department is the Competent Authority for the proposed development. It is not clear whether the applicant intends to bid the proposed development into future Renewable Independent Power Producer Programme (REIPPP) bid rounds. Please note that the Minister is the competent authority for applications for facilities or infrastructure, that will form part of the Integrated Resource Plan (IRP) Programmes for technologies whose procurement processes have been determined under the Electricity Regulation Act, 2006 and / or the Electricity Regulations on New Generation Capacity. If the applicant will not, or does not intend to, participate in any of the IRP programmes, the competent authority will be the MEC responsible for environmental affairs in the respective province. Be advised that this information must be clearly presented in Section 1 –Competent Authority in the application form.</p>	<p>DFFE Integrated Environmental Authorisations; 10 May 2023</p>	<p>In Section 1.1 of the BAR, the following statement is made: The proposed project is intended to form part of a submission under the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP). If bidding is unsuccessful and a private offtake opportunity arises, this may be pursued. Mainstream intends to bid the proposed development into future REIPPP bid rounds. To this end, it was understood that DFFE is the competent authority for the Stilfontein Cluster applications. This was confirmed at a pre-application meeting held with DFFE on 21 February 2022.</p>	Shrike
95.	<p>b) Considering the above, the reasons provided in Section 1 of the application form for this Department being the Competent Authority in terms of S24C of NEMA are, therefore, incorrect and incomplete. This must be rectified and expanded on in the application form as well as the report. Please refer to GN 779</p>		<p>This has been rectified and expanded on in the Application Form.</p>	
96.	<p>c) In addition, please ensure that the need and desirability of the proposed development must include reference to REIPPPP.</p>		<p>Table 7-2 Analysis of project conformance with relevant plans and projects in Section 7.2 Analysis of Need and Desirability of the Project (of the BAR) has been updated to include reference to the REIPPPP.</p>	
97.	<p>d) Please ensure that a written consent of landowner must be provided together with the final BAR</p>		<p>Landowner consent is included in Appendix 3 of the Application Form.</p>	
98.	<p>2. Listed Activities</p> <p>a) You have applied for Activity 11 of Listing Notice 1 of the 2014 NEMA EIA Regulations, as amended, and in your description of the applicability of the listed activity in relation to the proposed development, you indicate that there will be storage of fuel and other flammable and combustible materials on site during construction. You also mention that the proposed BESS does not trigger this activity as batteries are not considered as facilities and for the storage and handling of dangerous goods (as referenced by an IQ Interpretation Query by the Department). It is unclear then as the BESS does not trigger this listed activity, is it perhaps triggered by other associated infrastructure or not. Should it be that the listed activity is not triggered by any aspect of the proposed development, kindly amend the application form accordingly and submit with the final BAR.</p>		<p>It is assumed this comment relates to Activity 14 of Listing Notice 1. Please refer to response to comment 46.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
99.	b) When describing the listed activities, the EAP made use of the words such as, "it is expected, potentially," etc. Please refrain from using such words as Listed Activities are not based on a precautionary approach. The EAP/Applicant must be certain why listed activities are being triggered to enable the competent authority to apply its mind to all the assessed listed activities during decision making. Only applicable listed activities must be applied for and the project description must be specific on what is being proposed.		When describing Listed Activities in the BAR and Application Form there is no reference to such words. Please refer to response to comment 46.	
100.	c) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed.		Please refer to response to comment 46.	
101.	d) Kindly arrange the listed activities in the application form to clearly indicate the relevant Listing Notices that they fall under.		The Application Form has been updated to meet this requirement.	
102.	e) You applied for certain activities in Listing Notice 3 that requires that Bioregional Plans be adopted. You are required to confirm whether systematic biodiversity plans or bioregional plans are adopted by the relevant competent authority		Please refer to response to comment 48.	
103.	f) A signed amended application correctly completed must be submitted in this regard.		An updated Application will be submitted to DFFE.	
104.	3. Layout & Sensitivity Maps a) Please provide a layout map which indicates the following: b) The proposed up to 150MW Shrike Solar PV facility and the infrastructure associated with the proposed development; overlay by a sensitivity map;		Please refer to response to comment 65.	
105.	c) All supporting onsite infrastructure e.g., roads (existing and proposed);		Please refer to response to comment 63.	
106.	d) The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;		Please refer to response to comment 65.	
107.	e) Buffer areas; and,		Please refer to response to comment 67.	
108.	f) All "no-go" areas.		Please refer to response to comment 68.	
109.	g) The above map must be overlay with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.		Please refer to response to comment 71.	
110.	h) When using coordinates, please use the format which is prescribed in the 2014 NEMA EIA Regulations, as amended		Coordinates in the Application Form, BAR and Maps are provided in degrees, minutes and seconds in the prescribed format (using the Hartebeesthoek94 WGS84 coordinate system).	
111.	i) Google maps will not be accepted.			
112.	4. Specialist Assessments a) Specialist studies must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.		Specialist studies are compliant with Appendix 6 of the EIA Regulations (2014), relevant guidelines and/or the Environmental Assessment Protocols (GN R320 of 2020), as applicable (which includes these requirements).	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
113.	b) 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.			
114.	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.		SRK concurs with this definition of a 'no-go' area.	
115.	d) Should the specialist definition of 'no-go' area differ from the Departments definition, this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable		Specialists concur with this definition of a 'no-go' area and have indicated buffers where appropriate (see Freshwater Ecology High Chert Ridge and Heritage Studies – these have designated 'no-go' areas with appropriate buffers). Please refer to response to comment 65. No-go areas (high rocky ridge, heritage resources and wetlands) are shown in Figure 7-1 of the Final BAR.	
116.	e) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.		Please refer to response to comment 76.	
117.	f) 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.		Please refer to response to comment 77.	
118.	g) Please include a table in the BAR or relevant appendix, summarising the specialist studies required by the Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided.		Please refer to response to comment 78.	
119.	h) 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.		Please refer to response to comment 80.	
120.	i) Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit 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).		Please refer to response to comment 73.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
121.	<p>5. Cumulative Assessment</p> <p>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:</p> <p>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.</p>		Please refer to response to comment 81 and 82.	
122.	<p>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.</p>		Please refer to response to comment 83.	
123.	<p>c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p>		Please refer to response to comment 84.	
124.	<p>d) A cumulative impact environmental statement on whether the proposed development must proceed</p>		Please refer to response to comment 85.	
125.	<p>6. Public Participation Process</p> <p>a) The following information must be submitted with the final BAR</p> <p>ii) A list of registered interested and affected parties as per Regulation 42 of the 2014 NEMA EIA Regulations, as amended;</p> <p>ii) Copies of all comments received during the draft BAR comment period; and</p> <p>iii) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report. Structure the comment and response report in a table format, with separate columns, so that the response can be viewed alongside the comments, the date they were received, and the parties from whom they were received.</p> <p>b) Please ensure that all issues raised, and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the final BAR.</p> <p>c) Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the 2014 NEMA EIA Regulations, as amended;.</p>		Please refer to response to comment 87.	

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126.	7. Environmental Management Programme The EMPr must include the following: a) Please ensure that the generic Environmental Management Programme, contemplated in Regulations 19(4) is signed and dated on submission of the final report over and above the EMPr for the facility.		Section 7.3 Sub-section 3: Declaration (Generic EMPr in Appendix E2 of the Final BAR) has been signed and dated.	
127.	b) Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the 2014 NEMA EIA Regulations, as amended;.		The EIA Regulations 2014 (as amended) prescribe the required content in an EMPr. These requirements and the sections of this EMPr in which they are addressed, are summarised in Table 1-1 of the EMPr (Appendix E1 of the Final BAR).	
128.	Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the 2014 NEMA EIA Regulations, as amended;		Please refer to response to comment 90.	
129.	General You are further reminded to comply with Regulation 19(1)(a) of the 2014 NEMA EIA Regulations, as amended;, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (a) a basic assessment report, inclusive of 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 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".		Please refer to response to comment 91.	
130.	Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(1)(b) of the 2014 NEMA EIA Regulations, as amended;, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the documents contemplated in subregulation 1(a) will be submitted within 140 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 will be subjected to another public participation process of at least 30 days." Should you fail to meet any of the timeframes stipulated in Regulation 19 of the 2014 NEMA EIA Regulations, as amended; your application will lapse.		Please refer to response to comment 92.	
131.	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.		Noted – the timeframes have been carefully adhered to.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
132.	<p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p>(a) Listed Activities</p> <p>i. You have applied for Activity 14 of Listing Notice 1 of the EIA Regulations, 2014, as amended, and in your description of the applicability of the listed activity in relation to the proposed development, you indicate that there will be storage of fuel and other flammable and combustible materials on-site during construction. You also mention that the proposed BESS does not trigger this activity as batteries are not considered facilities for the storage and handling of dangerous goods (as referenced by an IQ Interpretation Query by the Department). It is unclear then as the BESS does not trigger this listed activity, if the activity is triggered by other associated infrastructure or not. Should it be that the listed activity is not triggered by any components of the proposed development, kindly amend the application form accordingly. Should however the activity be triggered, you are requested to indicate the capacity/threshold of the infrastructure that triggers the said activity.</p>	DFFE Integrated Environmental Authorisations; 12 May 2023; 15 May 2023	Please refer to response to comment 98.	Sunbird. Stilfontein, Swallow, Sparrow
133.	<p>ii. Kindly arrange the listed activities in the application form to clearly indicate the relevant Listing Notices that they fall under</p>		Please refer to response to comment 101.	
134.	<p>(b) Project description</p> <p>i. Kindly ensure to provide the technical details of the proposed facility as per the format provided under annexure 1 below.</p>	DFFE Integrated Environmental Authorisations; 12 May 2023	Table 3-4 has been updated in the BAR to provide the technical details of the proposed facility as per the format provided.	Sunbird. Stilfontein
135.	<p>(c) Coordinates</p> <p>i. In addition to the project site coordinates provided in the application form and the draft BAR, the coordinates of all other associated infrastructure applied for as per the project description must also be provided. The start, middle, and endpoint linear infrastructures (such as access roads and powerline and/or powerline corridor) must also be provided. Coordinates must be in degrees, minutes, and seconds.</p>		Please refer to response to comment 58 –61.	
136.	<p>(d) Public Participation Process</p> <p>i. Comments must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@dffe.gov.za.</p>		Comments have been provided by DFFE: Biodiversity Conservation Directorate and they are included in this Issues and Responses Summary.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	<ul style="list-style-type: none"> ii. The Public Participation Process must be conducted in terms of Regulations 39, 40 41, 42, 43, and 44 of the EIA Regulations 2014, as amended. iii. Please ensure that all issues raised, and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR. iv. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR. v. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. 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 BAR for comment vi. A comment and response report (CRR) which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report. Structure the comment and response report in a table format, with separate columns, so that the response can be viewed alongside the comments, the date they were received, and the parties from whom they were received. Furthermore, the CRR must be a separate document from the main report 		Please refer to response to comment 87.	
137.	vii. 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 an I&AP's comment.		All comments have been reproduced verbatim and clear, detailed responses provided.	
138.	viii. 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 BAR.		No meetings were held by the EAP with IAPs.	
139.	(e) Cumulative Assessment <ul style="list-style-type: none"> i. As this proposed project (Stilfontein PV Facility) forms part of a cluster of similar projects situated in farm portions located next to each other, the assessment of cumulative impacts must include all the other proposed facilities linked or related to this proposed cluster development (Stilfontein PV Cluster) in this project area. Furthermore, the BAR must include cumulative impact assessment for all identified and assessed impacts and must be refined to indicate the following: 		Please refer to response to comment 87.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
140.	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.		Please refer to response to comment 82.	
141.	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.		Please refer to response to comment 83.	
142.	c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.		Please refer to response to comment 84.	
143.	d) A cumulative impact environmental statement on whether the proposed development must proceed		Please refer to response to comment 85.	
144.	(f) Validity period and auditing frequency i. Please ensure that the final BAR includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring requirements finalised, as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.		Please refer to response to comment 89.	
145.	(g) Environmental Management Programme i. Please ensure that the generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) is signed and dated on submission of the final report over and above the EMPr for the facility.		Please refer to response to comment 126.	
146.	a) There needs to be an EMPr for the facility, the onsite substation as well as the overhead line.		<p>The EMPr included in Appendix E1 of the Final BAR relates to the project's PV facility including BESS, 11-33kV transmission lines, IPP-side of the project's on-site substation and associated internal infrastructure and facilities <i>inter alia</i> access roads, fencing, lighting, water supply infrastructure, laydown areas and offices.</p> <p>The 11-33kV transmission lines are included in the EMPr in Appendix E1 because the gazetted <i>Generic EMPr for the Development or Expansion of Overhead Electricity Transmission and Distribution Infrastructure</i> applies to activities that require EA (referred to as "listed activities"); however, the construction of a 33 kV (or less) transmission line is not a listed activity and the 11-33kV transmission line will be laid underground as far as possible</p> <p><i>Generic EMPrs for the Development or Expansion of Substation Infrastructure for the Transmission and Distribution of Electricity</i> and for the <i>Development and Expansion of Overhead Electricity Transmission and Distribution Infrastructure</i> were gazetted in GN 435 of 2019 and must be used for projects triggering Listing Notice 1 Activity 11 where the greater part of the facility is located within a REDZ (as stipulated in GN 145 of 2021).</p>	

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			<p>Therefore, the Generic EMPr for substation infrastructure is included in Appendix E2 of the Final BAR.</p> <p>The Generic EMPr for overhead grid infrastructure will be compiled and submitted as part of the Grid Application Projects (for the proposed 132kV and 400kV powerlines). EA Applications for Grid Infrastructure projects have not yet been submitted.</p>	
147.	<p>b) Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended</p>		<p>Please refer to response to comment 127.</p>	
148.	<p>Please be informed that the following content must be incorporated within the EMPr's:</p> <ol style="list-style-type: none"> a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae. b) A map at an appropriate scale that superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers. c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed, and mitigated as identified through the environmental impact assessment process for all phases of the development including — <ol style="list-style-type: none"> i. Planning and design; ii. Pre-construction activities; iii. Construction activities; iv. Rehabilitation of the environment after construction and where applicable post-closure; and v. Where relevant, operation activities. A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to — <ul style="list-style-type: none"> • Avoid, modify, remedy, control, or stop any action, activity, or process which causes pollution or environmental degradation; • Comply with any prescribed environmental management standards or practices; • Comply with any applicable provisions of the Act regarding closure, where applicable; and • Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable. • The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended. • The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended. 		<p>Table 1-1 of the BAR lists the required content of a BAR as per Appendix 1 of the EIA Regulations, 2014 and where in the BAR to find the requisite information.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	<ul style="list-style-type: none"> • An indication of the persons who will be responsible for the implementation of the impact management actions. • The time periods within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented. • The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended. • A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations. 			
149.	<p>(h) Specialist Assessments</p> <p>i. The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <p>a) A detailed description of the study's methodology; an 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>		Please refer to response to comment 112.	
150.	<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. 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>		Please refer to response to comment 113.	
151.	<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>		Please refer to response to comment 114.	
152.	<p>d) Should the specialist definition of a '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>		Please refer to response to comment 115.	
153.	<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>		Please refer to response to comment 117.	
154.	<p>f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p>		Please refer to response to comment 79.	
155.	<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 where necessary, include further expert advice.</p>		<p>See response to comment 74 and 79.</p> <p>All specialist recommendations have been pulled into the essential mitigation tables in Chapter 6 of the BAR and none of them contradict one another. EAP recommendations are included in Section 7.3 of the Final BAR.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
156.	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.		Please refer to response to comment 80.	
157.	iv. Please also ensure that the final BAR includes the Site Verification Report and Compliance Statements (where applicable) as required by the relevant themes		The Site Sensitivity Verification Report is included in Appendix F of the Final BAR. Please refer to response to comment 80.	
158.	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.		All relevant specialist certificates are attached to the relevant specialist reports. Please refer to response to comment 73.	
159.	vi. As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.			
160.	(i) Environmental Impact Statement i. An environmental impact statement must form part of the final BAR and contain the following – a) a summary of the key findings of the environmental impact assessment; b) a map at an appropriate scale that 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.		This analysis and mapping are provided in Section 7.1 of the Final BAR.	
161.	General You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (a) a basic assessment report, inclusive of 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 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".	DFFE Integrated Environmental Authorisations; 12 May 2023; 15 May 202	Please refer to response to comment 91.	Sunbird. Stilfontein, Swallow, Sparrow, Spoonbill, Swift

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
162.	Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the documents contemplated in sub regulation 1(a) will be submitted within 140 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 sub regulation (1)(a) and that the revised documents will be subjected to another public participation process of at least 30 days."		Please refer to response to comment 92.	
163.	Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.		Please refer to response to comment 93.	
164.	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.		Please refer to response to comment 131.	
165.	(b) Project description i. You are required to provide technical details of the proposed facility as per format provided under annexure 2 below.	DFFE Integrated Environmental Authorisations; 15 May 2023	Please refer to response to comment 134.	Swallow, Sparrow
166.	(c) Coordinates i. You are requested to provide coordinates corner coordinates of the project site and the centre coordinate of the project site. In addition the coordinate of other associated infrastructure applied for as per project description must also be provided. The start, middle and end point linear infrastructures (such as access roads and powerline) must also be provided. Coordinates must be in degrees, minute, and seconds.		Please refer to response to comment 58 – 61.	
167.	(d) Layout & Sensitivity Maps Please provide a layout map which indicates the following i. The proposed up to 150MW Swallow Solar PV facility and the infrastructure associated with the proposed development; overlain by a sensitivity map;	DFFE Integrated Environmental Authorisations; 15 May 2023	Please refer to response to comment 65.	Swallow
168.	ii. All supporting onsite infrastructure e.g., roads (existing and proposed);		Please refer to response to comment 63.	
169.	iii. Buffer areas; and,		Please refer to response to comment 67.	
170.	iv. All "no-go" areas.		Please refer to response to comment 68.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
171.	v. The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure		Please refer to response to comment 71.	
172.	vi. Google maps will not be accepted		Please refer to response to comment 111.	
173.	(e) Public Participation Process i. Comments must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@dfre.gov.za .	DFFE Integrated Environmental Authorisations; 15 May 2023	Please refer to response to comment 136.	Swallow, Sparrow
174.	ii. 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 response to comment 87, 137 and 138. This Issues and Response Summary is included as Appendix C7 of the BAR and has been compiled as per DFFE's requirements.	
175.	iii. Please ensure that all issues raised, and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.			
176.	iv. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR			
177.	v. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. 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 BAR for comment			
178.	vi. All issues raised and comments received during the circulation of the draft BAR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).			
179.	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.			
180.	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 an I&AP's comment.			
181.	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 BAR.			

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
182.	(f) Cumulative Assessment i. Since the proposed project forms part of a cluster project (Stilfontein) which is linked to the other eight (08) applications proposed next to this proposed project area, the assessment of cumulative impacts must include all the other proposed facilities linked or related to this proposed cluster development (Stilfontein PV Cluster) in this project area. Furthermore, the BAR must include cumulative impact assessment for all identified and assessed impacts and must be refined to indicate the following:		Please refer to response to comment 87.	
183.	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		Please refer to response to comment 82.	
184.	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.		Please refer to response to comment 83.	
185.	c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.		Please refer to response to comment 84.	
186.	d) A cumulative impact environmental statement on whether the proposed development must proceed.		Please refer to response to comment 85.	
187.	(g) Validity period and auditing frequency i. Please ensure that the final BAR includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post construction monitoring requirements finalised, as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.		Please refer to response to comment 89.	
188.	(h) Environmental Management Programme i. The Generic EMPr for substation infrastructure is not signed by the applicant. Please ensure that the generic EMPRs are signed by the applicant and submitted with the final report over and above the EMPr submitted with the BAR.		Please refer to response to comment 126.	
189.	ii. Please ensure that any specific mitigation measures identified in the BAR and specialist reports for the proposed powerline are incorporated into the generic EMPr.		Please refer to response to comment 88.	
190.	(i) Specialist Assessments i. Please ensure that specialist studies conducted provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.		Please refer to response to comment 112.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
191.	ii. The specialist studies must also provide a detailed description of all limitations to their studies		Please refer to response to comment 113.	
192.	iii. If the specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.		See response to comment 74 and 79. All specialist recommendations have been pulled into the essential mitigation tables in Chapter 6 of the BAR and none of them contradict one another. EAP recommendations are included in Section 7.3 of the Final BAR.	
193.	iv. Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.		Please refer to response to comment 115.	
194.	v. 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.		Please refer to response to comment 117.	
195.	vi. Regarding cumulative impacts: <ul style="list-style-type: none"> Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land 		Please refer to response to comment 82.	
196.	<ul style="list-style-type: none"> A detailed process flow 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. 		Please refer to response to comment 83.	
197.	<ul style="list-style-type: none"> Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process. 		Cumulative impacts have been assessed using the same impact rating methodology used to assess impacts associated with the project (see Section 6.10.3 of the Final BAR).	
198.	<ul style="list-style-type: none"> The significance rating must also inform the need and desirability of the proposed development. 		Please refer to response to comment 84.	
199.	<ul style="list-style-type: none"> A cumulative impact environmental statement on whether the proposed development must proceed. 		Please refer to response to comment 85.	
200.	vii. It is 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 ensure that the specialist assessments conducted comply with these protocols.		Please refer to response to comment 80.	
201.	viii. The screening tool output			

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	<ul style="list-style-type: none"> The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool. 		The Site Sensitivity Verification Report is included in Appendix F of the Final BAR.	
202.	<ul style="list-style-type: none"> It is the responsibility of the EAP to confirm the list of specialist assessments and to motivate in the assessment report, the reason for not including any of the identified specialist studies including the provision of photographic evidence of the site situation. The site sensitivity verification for each of the recommended studies, as per the protocols, must be compiled and attached. 			
203.	iv. Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP registered for e.g. an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatics sciences.		All relevant specialist certificates are attached to the relevant specialist reports. Please refer to response to comment 73.	
204.	v. Please be reminded that section 2(3) of NEMA requires developments to be socially, environmentally and economically sustainable, while section 2(4)(i) of NEMA requires the social, economic and environmental impacts of activities, including disadvantages and benefits, to be considered, assessed and evaluated.		Section 7.2 of the Final BAR provides an analysis of the need and desirability of the effect of the project on social, economic and environmental systems. Section 7.1.1 of the Final BAR provides a summary of positive and negative impacts and relevant observations regarding the overall impact ratings. Social, economic and environmental impacts are assessed in the BA Report.	
205.	vi. Specialist findings and recommendations must be separated per project.		Specialist Reports include project-specific appendices which include findings, impact assessments and mitigation recommendations for each project. All mitigation measures recommended by specialists and specialist opinions are included in Chapter 6 of the Final BAR.	
206.	The application form received by this Department and acknowledged on the 05 April 2023, and Draft Basic Assessment Report (BAR) dated March 2023 and received on 13 April 2023, refer. (a) Specific Comments This letter serves to inform you that the following information must be included to the final BAR: ii. The co-ordinates in the BAR must be specific to each activity and infrastructure that is proposed on the site. The co-ordinates for substations and the Battery Energy Storage Systems must be included in the final BAR, i.e., we require that you provide us with the specific development footprints for each development parameter, and not an area outlining the entire site.	DFFE Integrated Environmental Authorisations; 15 May 2023	Please refer to response to comments 58 – 61.	Spoonbill, Swift
207.	iii. Please provide a detailed description as well as any associated assessments related to the technology required for the Battery Storage System (BESS).		Please refer to response to comment 55.	
208.	iv. 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		A concise bulleted summary of the key components of the project and associated infrastructure is included in Table 3-4 of the BAR and described in Section 3.6.2 to 3.6.8.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	Environmental Authorisation be granted. This must include a list of all development components and associated infrastructure.			
209.	(b) Listed Activities i. You have applied for Activity 14 of Listing Notice 1 of the EIA Regulations, 2014, as amended, and in your description of the applicability of the listed activity in relation to the proposed development, you indicate that there will be storage of fuel and other flammable and combustible materials on site during construction. You also mention that the proposed BESS does not trigger this activity as batteries are not considered as facilities and for the storage and handling of dangerous goods (as referenced by an IQ Interpretation Query by the Department). It is unclear then as the BESS does not trigger this listed activity, if the activity is triggered by other associated infrastructure or not. Should it be that the listed activity is not triggered by any components of the proposed development, kindly amend the application form accordingly and submit with the final BAR. Should however the activity be triggered, you are requested to indicate the capacity/threshold of the infrastructure that triggers the said activity.		Please refer to response to comment 46.	
210.	ii. Kindly ensure that the listed activities represented in the final BAR and the application form are the same and correct		The Listed Activities are the same in the Application Form and the BAR.	
211.	iii. If the activities applied for in the application form differ from those mentioned in the final BAR, 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.dffe.gov.za/documents/forms .		Please refer to response to comment 46 and 47.	
212.	iv. 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		These requirements have been met. Please refer to Table 2-1 of the BAR.	
213.	v. Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.			
214.	vi. 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 BAR.		Please refer to response to comment 46.	
215.	vii. The final BAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.		The impacts of the project an associated Listed Activities are assessed in the BAR.	
216.	viii. It is imperative that the relevant authorities are continuously involved throughout the basic 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		This comment relates specifically to the Spoonbill and Swift applications. Neither of these project sites overlap with geographically designated areas in terms of GN R. 985 and no Listing Notice 3 activities are therefore triggered by these projects.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	representation of the proposed development within the respective geographical areas must be provided.			
217.	(c) Layout & Sensitivity Maps i. 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.		Please refer to response to comment 58.	
218.	ii. A copy of the final layout map must be submitted with the final BAR. All available biodiversity information, specialist studies and comments from Interested and Affected Parties 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:		<p>The Locality Map (Figure 1-2), Layout Map (Figure 3-15) and Integrated Sensitivity Map (Figure 7-1) are included in the final BAR.</p> <p>DFFE requested more specific layout information, as described in the Draft BAR, be shown on a map. This site layout detail is presented in Figure 7-3 and can be accepted as the final layout map to be approved. The site layout detail is for the technically preferred on-site substation shown in Figure 3-15.</p> <p>The following associated infrastructure (as per the description previously provided in the BAR therefore not new information) is presented graphically in Figure 7-3:</p> <ul style="list-style-type: none"> • Access roads from the N12 to each project; • BESS footprint; • IPP-side and Eskom-side of the on-site substation; • Operation and Maintenance (O&M) building footprint; and • Construction laydown area footprint. 	
219.	a) The envisioned area for the facilities, i.e. placing of infrastructure and all associated infrastructure should be mapped at an appropriate scale.		Please refer to response to comment 63.	
220.	b) All supporting onsite infrastructure required such as laydown areas, roads etc.			
221.	c) All necessary details regarding all possible locations and sizes of the infrastructure.			
222.	d) All existing infrastructure on the site, especially internal road infrastructure.			
223.	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, nesting and roosting sites, etc. that will be affected by the facility and its associated infrastructure;			<p>Please refer to response to comment 65 and 218.</p> <p>The location of all sensitive features on the project site and surrounds is shown in the Integrated Sensitivity Map in Figure 7-1. This maps residences, heritage resources, water reservoirs (avifauna sensitivity), ecological sensitivity, freshwater resources (wetlands and associated buffers), rocky ridges and CBAs and ESAs.</p> <p>In the Final BAR, an additional sensitivity map has been included that shows the sensitive features of the entire Stilfontein Cluster (Figure 7-2 in BAR).</p>
224.	b) Buffer areas; and		Please refer to response to comment 67.	
225.	c) All "no-go" areas.		Please refer to response to comment 68.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
226.	iv. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring and existing infrastructure		Please refer to response to comment 71.	
227.	v. Google maps will not be accepted.		Please refer to response to comment 111.	
228.	(d) Alternatives a) Please note that you are required to provide a full description of the process followed to reach the proposed preferred alternative within the site, in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended, including the following content:		During the prefeasibility phase of most projects various development alternatives are investigated. Furthermore, the EIA Regulations, 2014 require that all BA processes must identify and describe "alternatives to the proposed activity that are feasible and reasonable". Depending on the specific project circumstances various alternatives may be considered.	
229.	a) details of all the alternatives considered;		Various alternatives were considered during the initial screening and feasibility phases of this project, some of which were eliminated for technical reasons (refer to Section 3.5 of the BAR). The alternatives assessed in Sections 3.5.1 to 3.5.5 are listed in Table 3-1 of the BAR.	
230.	b) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;		Please refer to response to comment 87.	
231.	c) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;			
232.	d) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;		The environmental attributes / impacts of the project and alternatives are assessed in Chapter 6 of the BAR.	
233.	e) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts			
234.	aa be reversed;			
235.	bb may cause irreplaceable loss of resources; and			
236.	cc can be avoided, managed or mitigated;			
237.	f) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;		This is included in Section 6.1.3 of the BAR.	
238.	g) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;		This is included in Chapter 6 and Table 7-1.	
239.	h) the possible mitigation measures that could be applied and level of residual risk;			
240.	i) the outcome of the site selection matrix;			

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
241.	j) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and		This is included in Section 3-5 of the BAR.	
242.	k) A concluding statement indicating the preferred alternatives, including preferred location of the activity.		This is included in Section 7-4 of the BAR.	
243.	b) Written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1.		This is included in Section 3-5 of the BAR.	
244.	(e) Specialist Declaration of Interest i. Specialist Declaration of Interest forms must be attached to the final BAR. 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).		Please refer to response to comment 73.	
245.	(f) Specialist Assessments i. The EAP must ensure that the terms of reference for all the identified specialist studies must include the following: 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.		Please refer to response to comment 112.	
246.	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.			
247.	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.		Please refer to response to comment 114.	
248.	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.		Please refer to response to comment 115.	
249.	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.		Please refer to response to comment 77.	
250.	f) Avifauna specialist studies must have support from Birdlife South Africa.		BirdLife SA have provided the following comment: " <i>BirdLife South Africa simply does not have the capacity to review the many renewable energy applications underway. We can only dedicate time to review some of the more concerning applications and have to make time aside for more strategically important interventions. I have only briefly scanned the documents provided, and no obvious red flags jumped out. It is likely that the associated powerlines will pose a bigger risk to White-backed vulture than the PV facility itself. It is, therefore, critical that those be designed to Eskom's bird-friendly standards.</i> "	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
			The Grid Infrastructure EA applications have yet to be submitted.	
251.	g) Should a specialist recommend specific mitigation measures, these must be clearly indicated		Please refer to response to comment 79.	
252.	ii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.		See response to comment 74, 79 and 115.	
253.	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.		Please refer to response to comment 80.	
254.	iv. Please also ensure that the final BAR includes the Site Verification Report and Compliance Statements (where applicable) as required by the relevant themes.		The Site Sensitivity Verification Report is included in Appendix F of the Final BAR. Please refer to response to comment 80.	
255.	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.		All relevant specialist certificates are attached to the relevant specialist reports. Please refer to response to comment 73.	
256.	vi. As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist			
257.	(g) Cumulative Assessment i. As this proposed project forms part of a cluster of similar projects situated on farm portions located next to each other, the assessment of cumulative impacts must include all the other proposed facilities linked or related to this proposed cluster development (Stilfontein PV Cluster) in this project area. Furthermore, the BAR must include cumulative impact assessments for all identified and assessed impacts and must be refined to indicate the following:		Please refer to response to comment 87.	
258.	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.		Please refer to response to comment 82.	
259.	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.		Please refer to response to comment 83.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
260.	c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.		Please refer to response to comment 84.	
261.	d) A cumulative impact environmental statement on whether the proposed development must proceed.		Please refer to response to comment 85.	
262.	(h) Undertaking of an Oath i. The Department has noted that the submitted application form has an undertaking under oath or affirmation by the EAP. However, the aforementioned oath was not included in the Draft BAR, but rather an appendix of the application form attached to the BAR. Please note that the final BAR must also have an undertaking under oath/ 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 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include: "an undertaking under oath or affirmation by the EAP in relation to: a) the correctness of the information provided in the reports; b) the inclusion of comments and inputs from stakeholders and I&APs; c) the inclusion of inputs and recommendations from the specialist reports where relevant; and d) 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".		The Final BAR contains an undertaking under oath/ affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended (Appendix A of the Final BAR).	
263.	(i) Details and Expertise of the EAP i. You are required to include the details and expertise of the EAP in the BAR, including a curriculum vitae, in order to comply with the requirements of Appendix 1(3)(1)(a) of the NEMA EIA Regulations, 2014, as amended.		The BAR has been updated to include the details and expertise of the EAPs, including Curriculum Vitae.	
264.	(j) Public Participation Process i. Please ensure that comments from all relevant stakeholders are submitted to the Department with the final BAR. This includes but is not limited to the provincial department of Environmental Affairs, the District and Local Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), and BirdLife SA.		A list of stakeholders who submitted comments is provided in Table 1 of this Issues and Responses Summary. Comments were received from all the listed Authorities in this comment except for DWS. Several officials from the North West Department of Water and Sanitation (DWS) and two officials from the National DWS are on the Registered Stakeholder Database and were notified of the opportunity to comment on the Draft BAR. Follow up emails were also sent to DWS.	
265.	ii. Comments must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@dfre.gov.za.		Please refer to response to comment 136.	
266.	iii. 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 response to comment 87.	
267.	iv. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered Interested and Affected Parties			

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	(I&APs) and organs of state (including this Departments' Biodiversity Section) as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.			
268.	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 BAR and must be incorporated into a Comments and Response Report (CRR)			
269.	vi. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. 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 BAR for comment.			
270.	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.			
271.	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.			
272.	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 BAR.		Please refer to response to comment 138.	
273.	(k) Environmental Management Programme i. It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.		Please refer to response to comment 146	
274.	ii. There needs to be an EMPr for the facility, the onsite substation as well as the power line, for whichever alternative is chosen.			
275.	iii. Please ensure that the generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) is signed and dated on submission of the final report over and above the EMPr for the facility.		Please refer to response to comment 126.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
276.	iv. Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.		Please refer to response to comment 127.	
277.	<p>v. Please be informed that the following content must be incorporated within the EMPr/s as indicated in Appendix 4 of the EIA Regulations 2014, as amended</p> <p>a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.</p> <p>b) A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.</p> <p>c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including-</p> <p>aa Planning and design;</p> <p>bb Pre-construction activities;</p> <p>cc Construction activities</p> <p>dd Rehabilitation of the environment after construction and where applicable post closure; and</p> <p>ee Where relevant, operation activities.</p> <p>d) A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to-</p> <p>e) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation</p> <p>f) Comply with any prescribed environmental management standards or practices;</p> <p>g) Comply with any applicable provisions of the Act regarding closure, where applicable; and</p> <p>h) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.</p> <p>i) The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>j) The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>k) An indication of the persons who will be responsible for the implementation of the impact management actions.</p>		Please refer to response to comment 127.	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	<ul style="list-style-type: none"> l) The time periods within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented. m) The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended n) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations. 			
278.	<ul style="list-style-type: none"> (l) Environmental Impact Statement <ul style="list-style-type: none"> i. You are reminded that an environmental impact statement must be included in the final BAR, therefore you are kindly requested to include an environmental impact statement which contains - <ul style="list-style-type: none"> 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 response to comment 160.	
279.	<ul style="list-style-type: none"> (m) General <p>The final BAR must include a list providing a clear description of the infrastructure associated with the development (example attached as Annexure 2).</p>		Please refer to response to comment 134.	
280.	<ul style="list-style-type: none"> ii. The EAP must provide details of the specific locations in the final BAR. All associated infrastructure must be clearly indicated in the final BAR and its associated layout plans 		Please refer to response to comment 63 and 218.	
281.	<ul style="list-style-type: none"> iii. When submitting the final BAR and future documents kindly name each of the documents and attachments according to the information it contains e.g., instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc. 		The content of each Appendix is described in the Table of Contents of the BAR.	
282.	<ul style="list-style-type: none"> iv. The EAP must provide an outline of where in the final BAR each of this Department's comments addressed. This must be a separate document and must submitted as an appendix to the final BAR. 		This Issues and Response Summary (also referred to as a Comments and Response Report by the DFFE) responds to DFFE comments and includes in the response, where applicable, references to Sections and Tables of the Final BAR.	
283.	<ul style="list-style-type: none"> v. Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended 		Please refer to response to comment 89.	

<p>284.</p>	<p>The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report.</p> <p>Based on the information provided in the report, it was noted that the Stilfontein Cluster is entirely located within the Klerksdrop Renewable Energy Zones (REDZ) and the Central Strategic Transmission Corridor (STC). Furthermore, the project area mostly overlaps with terrestrial ESA1 areas, with small portions overlapping with terrestrial CBA2 and ESA2 areas. However, majority of the project area is identified as a degraded habitat with portions of rocky ridges. These identified habitats were assigned High Site Ecological Importance (SEI). The degraded habitat was assigned to have a high functional integrity and low receptor resilience.</p> <p>The current ecological condition of the degraded habitat, with regards to the main driving forces, are intact, which is evident in the amount and importance of the species recorded in the faunal assessment and the high species diversity and number of plant species recorded, the unit acts as remaining natural areas which support viable plant species populations and is also used for foraging. The unit also serves as a movement corridor for fauna within the landscape. As a result of the low rainfall (MAP 593 mm) in the areas, vegetation will not easily be able to recover. The habitat is unlikely to be able to recover fully after a relatively long period: > 15 years required to restore. The dolomite habitat, if disturbed won't be able to naturally recover.</p> <p>In view of the above findings, the Directorate Biodiversity Conservation does not support the development of the proposed Stilfontein PV cluster.</p>	<p>DFFE: Biodiversity and Conservation; 25 May 2023</p>	<p>It is noted that the DFFE: Biodiversity and Conservation Directorate does not support the development of the Stilfontein PV Cluster.</p> <p>The Directorate notes that the Stilfontein PV Cluster is entirely located within the Klerksdrop Renewable Energy Zones (REDZ) and the Central Strategic Transmission Corridor (STC) but that the cluster area mostly overlaps with terrestrial ESA1 areas, with small portions overlapping with terrestrial CBA2 (along the northern boundary) and ESA2 areas. The areas that overlap with the CBA2 areas also fall within the National Protected Area Expansion Strategy 2017 (NPAES) priority focus area; although the majority of the site lies outside of any NPAES areas.</p> <p>The specialist report states 'The Terrestrial Biodiversity Sensitivity for the proposed development was overall determined to be a Very High sensitivity according to the Web-based Screening Tool. The very high sensitivity...is as a result of a very marginal overlap with CBA2 area on the northern and north-eastern boundary of the cumulative project site and more general overlap with ESA1, ESA 2 and NPAES areas.'</p> <p>The Terrestrial Ecology Specialist Study describes the site in its current state (the baseline) as a Dolomite Grassland habitat that is degraded due to extensive grazing but that has a High Ecological Sensitivity (see Integrated Sensitivity Map Figure 7-1 in the BAR). Further to this the specialist explains that the rocky ridge located in the southern portion of the Stilfontein Cluster area (on the Sparrow PV Facility) functions as a micro-habitat for small faunal species such as the Cape Rock Hyrax (<i>Procavia capensis</i>) and is regarded as sensitive. In discussion with Mainstream, SRK has recommended that the high rocky ridge be excluded from the project footprint as a no-go area. The specialists did not make this recommendation as they were of the opinion that the ridge would be too isolated to be of significant value during the life of the project. However, SRK asserts that the ridge will still have some ecological functioning and that any damage caused to the environment during the life of the project will be considerably more reversible post closure if the ridge is retained in an intact state.</p> <p>As per the Species Environmental Assessment Guideline (SANBI 2020), the following factors contributed to the overall High Site Ecological Importance (SEI) rating for the degraded Dolomite Grassland habitat:</p> <ol style="list-style-type: none"> 1. Medium Conservation Importance – the habitat has >50% intact/natural areas and supports or potentially supports species of conservation concern. 2. High Functional Integrity – Large area of between 20-100 ha (the size category provided by the SEI ratings). <p>The above two factors combined contribute to a Medium Biodiversity Importance Rating.</p>	<p>All projects</p>
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			<p>3. Low Receptor Resilience – if significantly altered, the dolomite grassland is unlikely to fully recover because of the underlying geology and low rainfall.</p> <p>The Medium Biodiversity Importance Rating and Low Receptor Resilience combine to give a High Site Ecological Importance rating.</p> <p>The Species Environmental Assessment Guideline (SANBI 2020) for development in High Sensitivity areas require “avoidance mitigation wherever possible and also minimisation mitigation to limit the amount of habitat impacted. Offset mitigation may be required for high impact activities”.</p> <p>As per the provided project description, vegetation in and near the solar arrays, transmission line servitude and substation will be trimmed, and shrubs and trees will be removed to ensure sufficient space to place solar arrays and clearance between vegetation and the transmission line. The preparation of the substrate beneath solar arrays depends on the panel technology alternative that is implemented as follows:</p> <ul style="list-style-type: none"> • Panel Technology One (monofacial panels): Retain vegetative (grass) ground cover, remove shrubs and trees; and • Panel Technology Two (bifacial panels): Remove all vegetation and place white gravel underneath panels. <p>The Terrestrial Ecology Specialist Study states that “due to the retaining of grass cover for Panel Technology One, some impacts will either be more limited or absent for this alternative”.</p> <p>Avoidance mitigation is demonstrated insofar as:</p> <ol style="list-style-type: none"> 1. Both Technologies don’t plan to develop the entire area. So the cluster options have allowed for smaller parcels of land to be developed and not the whole area; 2. The high rocky ridge located in the southern portion of the Stilfontein Cluster area (within the Sparrow PV Facility site boundary) is now demarcated as a no-go area (see Figure 7-1) (see response to comment 284); 3. Technology One will allow for vegetation to remain beneath the panels so further avoidance is demonstrated with this option, and less so with Technology Two. <p>Minimisation mitigation is demonstrated by the inclusion of the following mitigation measures in the EMPr (as recommended by the specialist):</p> <ol style="list-style-type: none"> 1. Minimise footprint areas. 2. Minimise the extent of temporary clearing areas. 3. Use existing disturbed areas before new areas are cleared. <p>The destruction, further loss and fragmentation of habitats, ecosystems (ESA1) and vegetation community, including protected species is a terrestrial biodiversity impact rated by the specialist to have a LOW terrestrial</p>	
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		<p>biodiversity impact without mitigation, for sites with High SEI, and VERY LOW terrestrial biodiversity impact post mitigation.</p> <p>The specialist has assessed that the project impacts can be effectively mitigated to an acceptable residual impact. Panel Technology One is preferred as it has lower residual impacts on terrestrial ecology.</p> <p>The specialist concluded that development within areas of high sensitivity is not regarded as a fatal flaw for the project and can be effectively mitigated and that the project may be favourably considered for environmental authorisation. All mitigation measures must be implemented.</p> <p>In direct response to the comment of the DFFE: Biodiversity Directorate, The Biodiversity Company provided the following comment:</p> <p><i>'...Panel Technology One:</i></p> <ol style="list-style-type: none"> <i>1. The pre-mitigation risk for the clearing of vegetation was determined to be low, with the residual risk determined to be very low.</i> <i>2. The pre and residual risks for the remaining aspects which considered threats to the grassland i.e. alien invasives, habitat fragmentation etc were determined to be very low.</i> <i>3. It is based on this overall very low making this the preferred technology, with acceptable residual impacts.</i> <i>4. This overall very low residual risks also satisfies the requirements for development activities located in High SEI areas, namely 'Avoidance mitigation wherever possible. Minimisation mitigation – changes to project infrastructure design to limit the amount of habitat impacted, limited development activities of low impact acceptable. Offset mitigation may be required for high impact activities'.</i> <p><i>Considering Technology Two:</i></p> <ol style="list-style-type: none"> <i>5. The removal of the grassland was the only aspect identified to pose a high pre-mitigation risk, with an overall medium residual risk</i> <i>6. All remaining aspects (similar to technology One) resulted in a Low/Very Low residual risk.</i> <i>7. It is based on this low/very low residual risk, the residual risks were also determined to be acceptable but not the preferred option.</i> <i>8. Similar to technology One, Technology two has also demonstrated avoidance of the habitat, not to the extent of technology One but avoidance can be achieved. Then aspects can be mitigated to an acceptable residual risk.</i> <p><i>So in conclusion, the overall residual risks are considered to [be] acceptable in that development within the High SEI area can achieve both avoidance and further mitigate identified risks. The preferred option is Technology One versus Technology Two. Hence our conclusion: Development within the high sensitivity is not regarded as a fatal flaw for the project and can be effectively mitigated.</i></p>	
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			<p><i>It is the opinion of the specialists that Panel Technology One is preferred, but Panel Technology Two is also acceptable. The project may be favourably considered for environmental authorisation, and that all prescribed mitigation measures and supporting recommendations be implemented.</i></p> <p>In effect, the Terrestrial Ecology Specialist Study understands what triggered DFFE: Biodiversity and Conservation Directorate's position not to support development of the Stilfontein PV Cluster, but based on detailed investigation and fieldwork, (the specialist) concludes that biodiversity impacts are tolerable and residual impacts are acceptable. Under these circumstances, it is not evident on what scientific basis DFFE: Biodiversity and Conservation Directorate's does not support development of the Stilfontein PV Cluster.</p>	
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No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
285.	<p>SRK Consulting (South Africa) (Pty) Ltd has been appointed to undertake the Environmental Authorisation (EA) Application for the development 150 MW Stilfontein PV facility and Associated Infrastructure on the farms Rietfontein RE/388, Rietfontein 82/388 and Doornplaat 3/410 in the Dr Kenneth Kaunda District Municipality, North West Province (DFFE Reference Number: 14/12/16/3/3/1/2749).</p> <p>The Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act (NEMA, Act 107 of 1998) and the NEMA EIA Regulations. The study area has an extent of 280 ha and it is located within the Klerksdorp Renewable Energy Development Zone (REDZ). The development includes BESS, 11 - 33kV transmission lines, IPP-side of the Sunbird on-site substation and associated internal infrastructure and facilities inter alia access roads, fencing, lighting, water supply infrastructure, laydown areas and offices.</p> <p>Beyond Heritage has been appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).</p> <p>14 heritage resources have been identified on the Stilfontein Solar Energy Facilities Cluster which consists of:</p> <ul style="list-style-type: none"> • sites of Low density MSA scatters (SF001, SF002 and SF003) which are considered to be of low heritage significance and no mitigation is required. • Sites of Isolated and low density lithic Artefacts (SF004, SF005, SF006, SF007) which are considered to be of low heritage significance and no mitigation is required. • A Historical Farmstead (SF008) considered to be of low heritage significance. Monitoring of the development must be done by the ECO during construction to implement the Chance Find Procedure. • A stone wall (SF009) considered to be of low heritage significance, however the site must be avoided with a 30 m buffer. If not possible the site should be mapped and recorded prior to applying for a destruction permit. • A small stone-built structure (SF010) considered to be of low heritage significance however no Impact is anticipated and no mitigation required. • A Stone and cement platform (SF103) considered to be of low heritage significance and no mitigation required. • Sites with Ruins (SF101, SF102) considered to be of low heritage significance, however, monitoring of the development must be done by the ECO during construction to implement the Chance Find Procedure. • Burial site (SF011) which must be avoided with a 60 m buffer and it must demarcated, maintained and access for family must be ensured. A grave management plan for Project 2 Sunbird must be compiled and implemented. 	SAHRA; 29 May 2023	<p>SRK confirms that SAHRA's understanding of the proposed development and key findings of the Heritage Study is correct.</p> <p>The Heritage Impact Assessment recommended that the following two heritage resources be avoided and no-go buffer areas implemented around the sites:</p> <ul style="list-style-type: none"> • A burial site (SF011) at the Sunbird PV Facility; and • A stone walled enclosure (SF009) at the Swallow PV Facility. <p>All project EMPs include the following mitigation measures for the protection of archaeological and paleontological resources:</p> <ul style="list-style-type: none"> • Employ an ECO to monitor the construction activities. • Implement a chance find procedure for palaeontology and heritage finds <p>The Sunbird PV Facility includes the following additional mitigation measures in the EMP:</p> <ul style="list-style-type: none"> • Demarcate the burial site (SF011) as a no-go area with a 60m buffer for the duration of the project; and • Develop and implement a Grave Management Plan to ensure appropriate maintenance of the site and to provide access for family. <p>The Swallow PV Facility includes the following additional mitigation measures in the EMP:</p> <ul style="list-style-type: none"> • Demarcate SF009 in the field with a 30m buffer and avoid the area during construction if possible. If not possible, the site should be mapped and recorded prior to applying for a destruction permit. <p>All project EMPs include the following mitigation measures for the protection of fossils:</p> <ul style="list-style-type: none"> • Put aside and photograph any fossils found during excavations and send pictures to a palaeontologist to assess their scientific importance. • If deemed important, the palaeontologist must obtain a SAHRA permit and remove stromatolites to a recognised repository. 	Swallow, Shrike, Stilfontein, Sunbird, Starling, Sparrow, Spoonbill, Snipe Swift
286.	<p>It is noted that a Palaeontological Impact Assessment has been undertaken by Prof Marion Bamford, however the report has not been submitted to the development application.</p> <p>Interim Comment</p>		<p>The Palaeontological Impact Assessment was included in full within the Heritage Impact Assessment, rather than a stand-alone report. However, in response to this comment, the Palaeontological Impact Assessment has been uploaded to the SAHRIS as a separate document.</p>	

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
	The SAHRA Development Application Unit (DAU) notes the heritage studies along with the recommendations provided therein. Please submit the PIA before further comments can be issued.			
287.	An Isolated Lithic artefact (SF006), Stone and cement platform (SP103) and Stone wall (SP009) was identified. Mitigation Recommendations: <ul style="list-style-type: none"> SF009 - Site SF009 should preferably be avoided with a 30 m buffer. If not possible the site should be mapped and recorded prior to applying for a destruction permit. SF103 - No Mitigation required as the sites are of Low Significance. SF006- The site is located within Snipe Project 4 area and it is off Low Significance 		Please see response to comment 285.	Swallow
288.	Two isolated lithic artefacts (SF004 and SF005) were identified within the development area. These are of low significance and do not warrant further mitigation		It is noted that SAHRA concurs with the specialist assessment of the finds SF004 and SF005 on the Stilfontein project area.	Stilfontein
289.	Site SF101 and SF102 were identified within the proposed project area. The sites consist of a is a small, degraded stone packed feature or the remnants of a small square structure (SF101) along with a series of stone packed features that have collapsed (SF102). Neither of the features are indicated on historical topographic maps. This suggest that the sites are recent construction (post 2006) and are completely degraded and are of no heritage value.		It is noted that SAHRA concurs with the specialist assessment of the sites SF101 and SF102 on the Shrike project area.	Shrike
290.	A number of heritage resources have been identified on the Stilfontein Solar Energy Facilities Cluster and five of the sites are located within the Sunbird PV Facility. These include a Historical Farmstead (SP008), a Low density lithic scatter (SP007), a Burial site (SP011), Stone and cement platform (SP103) and Stone wall (SP009) is located just outside of the development boundary Mitigation Recommendations: <ul style="list-style-type: none"> SF008 - Monitoring of development by the ECO during construction to implement the Low Significance Chance Find Procedure. SF007 - Isolated Stone Age scatters are out of context and scattered too sparsely to be of significance apart from mentioning them in this report. No further mitigation is required SF011 - Avoid the burial site with a 60m buffer, the burial site should be demarcated, maintained and access for family should be ensured. Compilation and Implementation of a grave management plan for Project 2 Sunbird. 		Please see response to comment 285.	Sunbird
291.	SF103 and SF009 - No Mitigation required as the sites are of Low Significance. One site is located within the Starling PV Facility; a low density MSA scatter (SF003) which is of low heritage significance and no mitigation is required		It is noted that SAHRA concurs with the specialist assessment of the sites SF103 and SF102.	Starling
292.	No heritage resources were recorded in the study area.		It is noted that SAHRA concurs with the specialist assessment of the Sparrow project site.	Sparrow

No	Comment	Stakeholder and Date of Comment	Response	Project Applicability
293.	No heritage sites occur within the impact area and no adverse impacts to heritage resources are expected. Site SF010 is a small stone-built structure located 20 m outside of the impact area and will not be impacted by the proposed development.		It is noted that SAHRA concurs with the specialist assessment of the Spoonbill project site and that Site SF010 will not be impacted by the proposed project.	Spoonbill
294.	An isolated Stone Age flake possibly dating to the LSA (SF006) has been located on site. The feature is of no significance and no mitigation is recommended.		It is noted that SAHRA concurs with the specialist assessment of the Snipe project site and that SF006 is not a significant feature.	Snipe
295.	<p>BirdLife South Africa simply does not have the capacity to review the many renewable energy applications underway. We can only dedicate time to review some of the more concerning applications and have to make time aside for more strategically important interventions I have only briefly scanned the documents provided, and no obvious red flags jumped out. It is likely that the associated powerlines will pose a bigger risk to White-backed vulture than the PV facility itself. It is, therefore, critical that those be designed to Eskom's bird-friendly standards.</p> <p>Please note that this is not a detailed review or endorsement, or otherwise, of the application. While we appreciate the opportunity to comment, we suggest that if DFFE has specific concerns about impacts on birds, they should consider appointing an expert to review the application.</p>	Birdlife SA; 7 June 2023	<p>SRK recognises BirdLife SA's stretched capacity with regard to the quantity of reports that they are required to review. It is understandable that they focus their attention on the strategically important interventions. In order to attempt to facilitate the commenting process, SRK had a telephonic discussion with BirdLife SA regarding the project on 06/06/2023 and subsequently provided BirdLife SA with a comprehensive summary document of the Avifauna specialist study, findings and recommendations. On this basis, BirdLife SA provided comment 295.</p> <p>SRK has a high level of confidence in the avifauna study, given that the authors of the report are renowned experts in their field with extensive experience in renewable projects and are of the opinion that the study very objectively and thoroughly assesses the impacts of the proposed project and that the mitigation measures and design adjustments required by the study properly address potential impacts to an acceptable level.</p>	All projects