

Appendix C5 : Comments & Responses Report



 **LEGACY** | ENVIRONMENTAL
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1 COMMENTS & RESPONSES REPORT (C&RR)

1.1 Introduction

The Comments and Responses Report (C&RR) provided below reflects the comments and/or requests submitted by Interested and Affected Parties (I&APs) to Legacy Environmental Management Consulting (Pty) Ltd (Legacy EMC) during the public participation period on the Proposed Carpe Diem North SPP Facility on Portion 5 of the Farm Varkenslaagte No. 119 IQ, near Carletonville, Merafong City Local Municipality, West Rand District Municipality, Gauteng Province.

Public Participation

Various means were utilised to inform members of the public, organs of state and other organisations of the proposed development so that public participation conducted could enable I&APs, to register for the process and/or to raise any comments/queries regarding the proposed development:

A2 sized notices were displayed on the fences of the property on which the proposed development site is located i.e., Portion 5 of the Farm Varkenslaagte No. 119. Site notices were displayed from 14 November 2024.

Maildrops/background information documents (BIDs) were delivered to immediate neighbours where present (adjacent to the site), particularly if emails addresses were not available. Posters were also displayed at the Carletonville Public Library and BIDs were left at the library for the public's convenience. Posters were displayed from 14 November 2024. A newspaper advertisement was placed in the *Carletonville Herald* on 14 November 2024 describing the proposed Carpe Diem North SPP Facility and providing information as to the needs and desirability of the project.

Email notification of potential/pro-actively identified I&APs, in terms of public participation process on the Draft Scoping Report (DSR) and availability of documentation for review/comment/query, were sent on 14 November 2024. An additional email indicating the extension of the comment period on the DSR and associated documents from 13 December 2024 to 24 January 2025 was sent out on 03 December 2024.

Legacy EMC's website was updated with project related information/documents from 14 November 2024 (including notification of extension of comment period).

Note that there were two I&APs inadvertently omitted from the initial DSR public participation process (PPP) notification. These I&APs were, therefore, given an extended period in which to submit comments. This extension ended during the DFFE's 43-day decision-making period for the FSR and did not impact on the overall timeline for the project. The case officer was informed that should any late comments be received from these two I&APs, they will be sent through and relevant documents updated (if required).

During the Scoping Phase, late comments were received from only one of these I&APs, i.e., Mr. Wilhelm Rost on 24 February 2025, and is included in **Table 1** and **Table 2** under public comments provided below. The second I&AP not included in the initial DSR PPP was the Department of Forestry, Fisheries and the Environment's Water Sources and Wetlands Conservation Directorate who were identified as omitted from the I&AP Database upon review of the comments received from the Integrated Environmental Authorisations (IEA) Directorate on the DSR. However, despite notification of the extension to the comment-period and reminder emails sent on 31 January 2025 and 21 February 2025, respectively, no comments were received from this Directorate. Please see the email trail of correspondence with these two I&APs, attached to the end of this C&RR.

The Final Scoping Report (FSR) was submitted to the DFFE on 06 February 2025 and comments and acceptance of the FSR and Plan of Study was received from the Department on 18 March 2025.

After which the Draft Environmental Impact Assessment Report was circulated for comment from 05 May 2025 until 04 June 2025. A hard copy of the DEIAR was also made available during the comment period at the Carletonville Public Library (Beryl Street, Carletonville, 2499).

The I&AP Register for public participation throughout the project S&EIA process is attached as **Appendix 1** to this C&RR.

Written comments received from I&APs on the project related documentation, which was made accessible, are tabulated *verbatim* in **Table 1** below, as are responses provided by the project team.

Table 1: The following I&APs commented on or requested registration for the Proposed Carpe Diem North SPP Facility on Portion 5 of the Farm Varkenslaagte No. 119 IQ, near Carletonville, Merafong City Local Municipality, Gauteng Province:

No.	Stakeholder	Affiliation	Date and Format of Comment
Authorities			
A1	Dr Sabelo Malaza	Department of Forestry, Fisheries & the Environment (DFFE), Chief Director: Integrated Environmental Authorisations	30 May 2025 (Email letter)
			18 March 2025 (Email letter)
			10 December 2024 (Email letter)
	Lydia Kutu	DFFE, Chief Director: Integrated Environmental Authorisations	30 May 2025 (Email)
			07 May 2025 (Email)
			18 March 2025 (Email)
	Salome Mambane	DFFE: Integrated Environmental Authorisations: Priority Infrastructure Developments	20 March 2025 (Email)
			10 December 2024 (Email)
A2	Khanyisile Bonile	South African Heritage Resources Agency (SAHRA)	18 November 2024 (Email)
A3	Mr Seoka Lekota	DFFE: Biodiversity Mainstreaming and EIA Directorate	05 June 2025 (Letter)
			12 December 2024 (Email)
	Lindiwe Victoria Dlamini	DFFE: Biodiversity Mainstreaming and EIA Directorate	26 November 2024 (Email)
	Nompumelelo Lekalakala	DFFE: Biodiversity Mainstreaming and EIA Directorate	10 June 2025 (Email)
			19 May 2025 (Email)
A4	Siphamandla Mabaso	Eskom: Distribution Division	06 May 2025 (Email & Letter)
A5	Samke Ndlovu	Eskom National Transmission Company	09 June 2025

		of South Africa (NTCSA)	02 June 2025 (Email)
			24 January 2025 (Email)
A5	John Geeringh	Eskom NTCSA (Senior Consultant Environmental Management)	27 November 2024 (Email with attached reference documents)
A6	Makaringe Sibongile	Department of Water and Sanitation	15 November 2024 (Email)
A7	Nrateng Mashiloane	South African Civil Aviation Authority: Aviation Environmental Compliance Department	19 November 2024 (Email)
Public			
P1	Gustav Janse van Rensburg	Skillspro Group - neighbour	15 November 2024 (Email)
P2	Sbusiso Nhlapo	Public	19 November 2024 and 24 January 2025 (Email)
P3	Khanya Ntushelo	Public	22 January 2025 (Email with website form)
P4	Michael Leach	Atlantic Energy Partners	23 January 2025 (Email)
P5	Wilhelm Rost	Townscape Planning Solutions	23 January 2025 and 24 February 2025 (Email)

Table 2: Comments and Responses Table:

I&AP No.	Email No.	Comment by I&AP	Response by EAP/Specialist Team
COMMENTS ON DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT			
I&AP: Lydia Kutu - Department of Forestry, Fisheries & the Environment (DFFE); Chief Director: Integrated Environmental Authorisations (30 May 2025)			
A1		Please find herein the attached letter for the above mentioned. Please do not respond to this mailbox with any queries related to the decision been issued. All queries on the attached decision must be directed to official whose contact details is listed as enquiries. I hope you find all in order.	Noted, with thanks.
I&AP: Dr Sabelo Malaza - DFFE; Chief Director: Integrated Environmental Authorisations (30 May 2025)			
A1		COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF THE UP TO 150MW CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, MERA FONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The draft Environmental Impact Assessment Report (EIAR) received by the Department on 06 May 2025, refers.	Cognisance taken of the Department's comment.

		<u>This letter serves to inform you that the following information must be included in the amended application form and final EIAR:</u>	
	1	Application Form	
	a)	It is noted that a stand-alone 100MW Carpe Diem North BESS 1 Facility was registered with the registration granted by the Department on 15 May 2024, however Listing Notice 1 Activity 14 is applied for the BESS. Please clarify and correct this.	The 100 MW Carpe Diem North BESS 1 Facility (CDN BESS 1 Facility) was intended as a completely separate project to the Carpe Diem North SPP development and was proposed as a large, commercial-scale, power storage facility with the purpose of receiving excess power from the National Grid when electricity is available, for use during peak demand periods or when there was a shortage of electricity supply to the National Grid. Although, the Applicant of this proposed development, Carpe Diem North BESS 1 (Pty) Ltd, was granted registration by the Department on 15 May 2024, the CDN BESS 1 Facility was not selected as a preferred bidder and this separate or stand-alone project is not considered feasible at this time. The proposed Carpe Diem North Solar Photovoltaic Plant (SPP) includes development of a totally different (much smaller) on-site SPP linked BESS, situated within close proximity of the SPP substation. The purpose of the on-site SPP BESS is to ensure reliability of supply from the SPP. The Applicant for the proposed Carpe Diem North SPP and associated on-site SPP BESS is JUWI Renewable Energies (Pty) Ltd. Listing Notice 1 Activity 14 is being applied for in terms of the Carpe Diem North on-site SPP BESS, which is directly linked to the SPP output and supports the SPP by ensuring reliable power output/supply from the SPP Facility and is therefore, completely independent to the already registered CDN BESS 1 Facility. The description provided for the Listed Activity in the FEIAR and Revised Application form has been amended and further clarified. It is further reiterated that since the stand-alone BESS was not selected as a preferred bidder, development of a stand-alone BESS on the property has been removed.

b)	Coordinates of proposed infrastructure and the final layout must be provided in the final EIAR documents. Coordinates must be in the format as prescribed in 2014 NEMA EIA Regulations, as amended (the Regulations).	Coordinates of the proposed infrastructure and the final layout are included within the FEIAR – refer to Tables 14 - 29 and Figures 6 – 21 from pages 59 - 75. Refer also to Appendix K1 to the FEIAR, which provides a visual indication of the coordinates specific to each activity and infrastructure proposed on the site. Coordinates of the proposed infrastructure and the final layout are included within Appendix 9 of the revised Application Form. Coordinates of the property boundary for the proposed SPP are included within Coordinates table on page 15 of the revised Application Form.
c)	Please provide clarity with regards to the on-site Carpe Diem North SPP substation and power line grid connection components. Do these form part of this application? What are the capacities/ length of the powerline and the onsite substation?	The on-site substation and proposed power line grid connection (namely Alternatives 1 to 3) form part of the associated infrastructure to the SPP and are integral to the application. The most preferred grid connection, Alternative 1 is located completely on Portion 5 of the Farm Varkenslaagte No. 119 IQ. Please refer to Section 6.5 of the FEIAR on pages 144 - 145, which provides detail regarding the layout alternatives for grid connection including the distribution capacity and length of power line. The capacity of the on-site substation has been provided for under the project description of the proposed development - also refer to the three described 'main components' of the SPP given within the Executive Summary on page viii and again under Section 1.4 on page 5 of the FEIAR. Specific detail of the on-site substation has been provided for under Section 4.7.1 on page 81 of the FEIAR. Detail regarding the capacities/length of the power line alternatives and the on-site substation have been added to Section 5 'Project Description' of the revised Application Form submitted with the FEIAR.
d)	Please include a table which includes project component and descriptions in line with the components of the 150MW Carpe Diem North SPP and associated infrastructure on section 1.4 of the report. An example is as shown in	Please refer to the table provided on pages iv -v of the FEIAR for the technical details of the proposed development aligned with Section 1.4 of the FEIAR.

		Annexure 1: Sample of minimum technical details for the proposed facility.	
	e)	The final EIAR must provide an assessment of the impacts and mitigation measures for each listed activity applied for.	Only the correct sub-listed activity applied for has been assessed and mitigated for in the FEIAR and the revised Application Form submitted with this FEIAR. Please refer to the Impact Assessment and mitigation measures provided for within Section 9 of the FEIAR and Appendix F to the FEIAR. Various specialist studies have been undertaken and have recommended mitigation measures for implementation.
	f)	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. In addition, the onus is thus on the applicant and the environmental assessment practitioner (EAP) to ensure that all the applicable listed activities are included in the application. Failure to do so may result in unnecessary delays in the processing of the application.	A comprehensive revision of all listed activities applied for has been completed, with detailed specifications provided for each applicable activity. Please refer to Table 9 on page 31 of the FEIAR. The FEIAR and the revised Application Form submitted with the FEIAR include this comprehensive list of all relevant listed activities.
	g)	If the activities applied for in the application form differ from those mentioned in the final EIAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.dffe.gov.za/documents/forms .	The listed activities are consistent between the FEIAR and the revised Application Form submitted with this FEIAR.
	2.	<u>Specialist Assessments</u>	
	a)	Please ensure that all buffer zones recommended by specialists are implemented and ensure the final layout maps shows the location of the environmental features and the buffer zones:	All no-go areas defined by the specialists have been clearly indicated within their respective reports and within the FEIAR. The final site layout as included within the FEIAR, does demonstrate that all recommended specialist buffers are implemented.

			Figure 48 on page 138 of the FEIAR, overlays the proposed Carpe Diem North SPP site layout plan with the various environmental sensitivities, which informed the site layout plan.
	b)	It is acknowledged that specialists undertaken for the proposed development considered the 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), that came into effect. You are advised to ensure that the final EIAR include specialist assessments conducted in accordance with these protocols, unless proof is provided to demonstrate that the specialist assessments were commissioned prior to 50 days after the promulgation of GN 320 and after promulgation of GN1150 (30 October 2020).	Legacy EMC is aware of the specialist study protocols that have come into effect and confirms that all specialist studies conducted for the scoping and environmental impact assessment phase are in accordance with these protocols. Please refer to Appendix H for the specialist signed declaration forms and associated SACNASP certificates, where relevant.
	c)	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.	
	d)	The EAP must ensure that the terms of reference for all the identified specialist studies include the following:	The terms of reference listed alongside have been included in the respective specialist studies.

	• 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 authorisations. You are advised to provide a table listing all the specialist studies undertaken with the recommendation for the proposed development. • 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. • 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. • 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. • All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternatives and recommendations, and must not recommend further studies to be completed post EA. • Should a specialist recommend specific mitigation measures, these must be clearly indicated.	Methodology and limitations were provided in each specialist report – refer to Appendix D of the FEIAR. The specialist studies and the names of the relevant specialists are provided in Table 6 on page 19 of the FEIAR. Please refer to Section 9.6 of the FEIAR, which details the gaps in knowledge, underlying assumptions and uncertainties of the project. Limitations and uncertainties within the various techniques adopted by the specialists are referred to in each specialist study, where relevant. There are no discrepancies between the definition of the Department's no-go areas and that of the specialists.
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	- 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. - 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. - Please include a table that shows the proposed studies and the relevant specialists conducting the study. In addition, a summary should be included of the specialist's recommendations in terms of the alternatives that are preferred based on the findings of their study.	All specialist studies provide detailed mitigation measures for the preferred alternative and have been finalised by the respective specialists, where required, and included under Appendix D for submission with the FEIAR. No contradicting recommendations have been provided for the proposed development. The final site layout as included within the FEIAR, does demonstrate that all recommended specialist buffers are implemented. The Site Sensitivity Verification Report is included as Appendix G of the FEIAR and presented in Section 5.5, Table 31 of the FEIAR. Table 31 and the SSVR (Appendix G to the FEIAR) summarises information and findings derived from relevant specialist studies identified in the DFFE Screening Tool Report (STR) and prepared by Legacy EMC for both the proposed development, as well as the site visits conducted by Legacy EMC. Several specialist and technical studies have been commissioned to provide input into the S&EIA process. The specialist studies and the names of the relevant specialists are provided in Table 6 of the FEIAR. All specialist recommendations have been clearly indicated in the FEIAR and incorporated into the respective EMPs. Refer to Section 10.1.1. of the FEIAR, which includes a summary of the key findings of the EIA and the recommendations provided by the respective specialists.
3.	<u>Cumulative Assessment</u>	

		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: - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land. - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. - The cumulative impacts significance rating must also inform the need and desirability of the proposed development. - A cumulative impact environmental statement on whether the proposed development must proceed or not.	The requirements for the cumulative impacts, should there be any other similar projects within a 30 km radius of the proposed development site, have been commissioned for the EIA phase of the project and included into the respective specialists' assessments. The cumulative impacts of the proposed development are clearly defined within the EIA phase of the project – refer to the respective specialist studies in Appendix D of the FEIAR and the Impact Assessment tables given in Appendix F and Section 10.1.3 of the FEIAR. Specialists have indicated proof for their detailed process flow findings with regards to the assessment of cumulative impacts. Cumulative impacts assessed have informed the need and desirability as assessed within Section 8 of the FEIAR. Refer to Section 10.1.3 of the FEIAR, which provides a summary of the cumulative impacts (positive and negative) of the proposed development assessed by the respective specialists and the EAP for the proposed development. It is concluded that the environmental impacts associated with the proposed development (including possible cumulative impacts) will not result in unacceptable long-term environmental impacts, should the proposed mitigation and monitoring measures, as are discussed in the FEIAR and contained in the attached EMPs (refer to Appendices I1, I2 and I3 to the FEIAR), be implemented diligently. The Standard EMP includes impact management actions and impact management outcomes for the development. The implementation of the EMPs should be included as a condition of authorisation.
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4.	<u>Layout and Sensitivity Maps</u>	
a)	It has been noted that a preliminary site layout map has been attached to the draft EIAR. Please ensure that a final layout map is submitted with the final EIAR. The final layout map must implement all the buffer zones recommended by the specialist and the layout map must be overlain by all the sensitivities.	Please refer to Figure 48 of the FEIAR, which provides the final site layout map overlain with biodiversity sensitivities and other specialist sensitivities indicated and verified for the site. Refer also to Appendix K4 for visual representation of the site layout map overlain with all sensitivities and buffer zones.
b)	All available biodiversity information must be used in the finalisation of the final layout map. Existing infrastructure must be used as far as possible, e.g. roads.	All available biodiversity information was used to inform the finalisation of the final site layout map, which respects all recommended buffer zones, delineated 'no-go' areas and indicated high sensitivity areas by specialists. Furthermore, all Eskom servitudes have been respected by the proposed development.
c)	It must be emphasised that the final EIAR must include a final layout map which adheres to specialist recommendations as well as the identified no-go areas must be included. Failure to provide a final layout map may be a fatal flaw to the decision-making process.	A final layout map has been provided in Figure 48 of the FEIAR and Appendix K4 to the FEIAR.
d)	Please ensure to include sensitivity maps per facility and combined, that are not superimposed over a satellite image or use contrasting colours that stand out against the background imagery. The different items in the Legend must be distinguished against the imagery in the background.	Cognisance taken of the Department's comment.
e)	Please ensure that distinct colours to enable clear reviewing of the maps and the information presented in the Legend is used.	Cognisance taken of the Department's comment.
5.	<u>Alternatives</u>	

	a)	Please ensure to provide details of all the alternatives considered for this development and indicate the preferred alternatives as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the Regulations, in the final report.	Section 6 on page 129 of the FEIAR describes the alternatives within the site and the process followed to reach the preferred alternative/s for the site.
	b)	Alternatively, you must submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.	This comment is not applicable to the project since alternative locations for the activity have been considered.
	6.	<u>Public Participation Process (PPP)</u>	
	a)	Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to Department of Forestry, Fisheries, and the Environment (DFFE): Biodiversity Planning and Conservation (BCAdmin@dffe.gov.za); Water Sources and Wetlands Conservation Directorate (StanleyT@dffe.gov.za for attention Mr Stanley Tshitwamulomoni); Protected Area Planning and Management Effectiveness directorate (Tnethononda@dffe.gov.za for attention Mr Thivhulawi Nethononda); Provincial Department, EWT, South African Heritage Resources Agency (SAHRA), SANPARKs, local interest and conservation groups, for example: Councillors and Rate Payers associations; Surrounding landowners, Farmer Organisations, Environmental Groups and NGOs; and Grassroots communities and structures as well as the affected district and local municipalities. Furthermore, ensure that all issues raised, and comments received during the circulation of the draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed	This report is submitted as the C&RR (which contains a consolidated comments and responses table) and has been attached as Appendix C5 to the FEIAR. Proof of all correspondence with the various stakeholders is included as Appendix C4 and meets the request to ensure that comments from all relevant stakeholders are submitted to the Department. Note: Where comments from a regulating authority were not received, proof has been submitted to the Department of the attempts that were made to obtain comments – refer to Appendix C4 of the FEIAR.

		in the final EIAR. A consolidated comments and responses table must be included in the final EIAR.	
	b)	Proof of correspondence with the various stakeholders must be included in the final EIAR. This must indicate that this draft EIAR has been subjected to 30 days public participation process (PPP), stating the start and end date of the PPP. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.	Proof of correspondence with the various stakeholders is included as Appendix C4 of the FEIAR.
	c)	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the Regulations.	Cognisance taken of the Department's comment.
	7.	<u>Environmental Management Programme</u>	
	a)	The final EMPr must also include the following: • All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted. • An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. • Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants. • An alien/invasive plant management report; plant rescue and protection report; and re-vegetation and	The final EMPrs includes: • All recommendations and mitigation measures as are relevant to the Carpe Diem North development site and as recorded in the EIAR and associated specialist studies, have been included in the Standard EMPr attached as Appendix I3 of the FEIAR. • An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process has been included as Figure 3 of the Standard EMPr and Figure 5 in Part C of the generic EMPrs. • Desktop resources indicate no aquatic features within Portion 5 of Farm Varkenslaagte No. 119, which was confirmed during the site assessments. The aquatic specialist found no wetlands, rivers nor drainage lines present on the proposed site. Hence, it was confirmed that the majority of the development area on the site was of 'Low' aquatic sensitivity and no recommendations have been made for mitigation of aquatic impacts due to the proposed development. As detailed in Section 5.2.14 on page 105 of the FEIAR, no new development

		habitat rehabilitation report and post construction monitoring. An in-situ search and rescue plan must be developed and implemented for other conservation important species including geophytic species that will be impacted by the construction of the project site.	will take place within the 500 m Zone of Regulation under the National Water Act (Act no. 36 of 1998). - An Alien Invasive Species Management Plan is included as Appendix D to the Standard EMPr along with a Rehabilitation Management Plan and an Open Space Management Plan (containing reference to in-situ search and rescue of plants incorporating geophytic species) which are included under Appendices E and G of the Standard EMPr, respectively. - Plant rescue and protection has been incorporated under item 5 of Section E2.2.2. 'Loss of species of conservation concern' within the Construction Phase Management table. Therefore, it is Legacy EMC's opinion that separate reports are not required to ensure the listed aspects are adequately managed, since this should already be accounted for through the implementation of the Standard EMPr. - Refer to Section 2.5 of the Standard EMPr, which demonstrates how the EMPr complies with Appendix 4 of the EIA Regulations of 2014, as amended.
	b)	In addition to the above, the EMPr must comply with Appendix 4 of the Regulations.	Cognisance taken of the Department's comment.
	c)	Ensure that signed versions of the generic EMPrs for the substation and the powerlines are submitted with the final EIAR. This is over and above the EMPr for the facility.	Signed version of the EMPrs have been submitted with the FEIAR.
	<u>General</u>		
		Please note that the comments on the draft Scoping Report (SR) issued on 10 December 2024 and the acceptance of the SR dated 18 March 2025 are still valid and must be adhered to.	Cognisance taken of the Department's comment.

	Please ensure that the final EIAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the Regulations.	As stated in Section 10.3 of the DEIAR and Section 10.3 of the FEIAR, <i>“The EA, if granted, should be valid for a period of ten (10) years”</i>. Section 10.3 of the FEIAR has been updated to include the following statement, <i>“It is assumed that if the EA is granted and stands after the regulated appeal period, construction will commence before the EA validity period lapses. To prevent the triggering of Listing Notice 1, Activity 32, the proposed development of the Carpe Diem North SPP and Associated infrastructure should be concluded by mid-October 2035, unless an amendment application is submitted to the Competent Authority to extend the EA validity period”</i>.
	You are further reminded to comply with Regulation 23(1)(a) of the Regulations, 2014, which states that: “The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority - (a) an environmental impact assessment report inclusive of any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority.”	Cognisance taken of the Department’s comment.
	Should there be significant changes or new information that has been added to the EIAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the Regulations, which states: “The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the	Cognisance taken of the Department’s comment.

		documents contemplated in sub-regulation 1(a) will be submitted within 156 days of acceptance of the scoping report by the competent authority or where regulation 21(2) applies, within 156 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the documents, which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in sub-regulation (1)(a), and that the revised documents contemplated in sub-regulation 1(a) 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 23 of the Regulations, your application will lapse. 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.	Cognisance taken of the Department's comment.
I&AP: Lydia Kutu - DFFE; Chief Director: Integrated Environmental Authorisations (19 May 2025 & 10 June 2025)			
A3		(19 May 2025) DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 05th of May 2025 to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs P Makitla and Ms Nompumelelo Lekalakala (Copied on this email). In addition, kindly share	Thank you for your email. As requested, please find attached the KMZ file containing the preferred site layout for the proposed Carpe Diem North Solar Photovoltaic Plant and associated infrastructure located on Portion 5 of Farm Varkenslaagte No. 119 and Portion 23 of Farm Doornfontein No. 118, near Carletonville, Gauteng. Kindly refer to the attached KMZ for the most recent revision of the site layout. Should you or your colleague, Ms. Portia Makitla, require shapefile versions of the site layout,

		the shapefiles of the development footprints/application site with the Case Officers. Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for attention of Mr Seoka Lekota.	please let us know and we will provide them accordingly. Please feel free to contact us should you need any further information or clarification regarding the project.
		(10 June 2025) Kindly see attached comments for the aforementioned project.	Comments have been received with thanks.
I&AP: DFFE; Chief Director: Integrated Environmental Authorisations (05 June 2025)			
A3		COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119 IQ AND PORTION 23 OF THE FARM DOORNFONTEIN NO. 118 IQ, NEAR CARLETONVILLE, MERAFONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE The Directorate: Biodiversity Conservation reviewed and evaluated the report.	
		It was noted during review that the Grassland on site consist mainly of semi-natural grassland, which is not considered threatened. The CBA2 located on site is due to remaining primary grassland and Red List Birds. The	Legacy EMC agrees with this summary review of the grasslands on site and the respective site sensitivities as assessed by the terrestrial biodiversity specialist.

	Grasslands are a combination of natural and disturbed, and collectively are rated as high and moderate sensitivity, respectively. All other areas are considered low sensitivity as they are either highly degraded or transformed.	
	As indicated in the GDARD C-Plan map Class 2 Ridge is located within the proposed site, the quartzite ridges of Gauteng are one of the most important natural assets in the northern provinces of South Africa. The ridges, provide habitat for a wide variety of fauna and flora, some of which are Red List, rare or endemic species or, in the case of certain of the plant species, are found nowhere else in South Africa or the world. The ridges also fulfil functions that are necessary for the sustainability of ecosystems such as the recharging of groundwater, wetlands and rivers, wildlife dispersal and providing essential habitat for pollinators. High environmental impact on a Class 2 ridge will not be permitted. However, Low impact development activities, such as tourism facilities, which comprise of an ecological footprint of 5% or less of the property may be permitted.	Cognisance is taken of the Department's description of the functionality and biodiversity value of the Class 2 ridge. It must be noted that the terrestrial biodiversity specialist delineated all 'high' sensitive areas within the site, which included the bushveld area that was deemed highly sensitive due to ridges that provide vital habitat for many threatened and endemic plant species. Furthermore, the specialist confirmed that ecological corridors must be maintained and intact bushveld on ridges must be excluded from development. The final site layout has adhered to the specialist's recommendations and has avoided all verified 'high' sensitivity areas and their respective no-go buffers. Therefore, the terrestrial biodiversity specialist concluded that the current layout is supported from a terrestrial biodiversity perspective, adheres to the relevant recommendations and therefore no biodiversity offsets relevant to the terrestrial biodiversity aspects are required for the current layout.
	The proposed site has a Medium sensitivity Avifaunal Species of Conservation Concern as per the avifauna habitat sensitivity map. To ensure the continued persistence of ecosystems and that no conservation targets are achieved, it is essential that impacts on very highly sensitive i.e. CBAs, ridges, watercourses and highly localised habitats are minimized or avoided altogether.	The final site layout for the proposed development has avoided all 'high' sensitivity areas and aligns with the proposed mitigations and recommendations assessed by the avifaunal specialist and hence, the specialist concluded that no offsets are recommended.

		The Directorate reserves the right to revise initial comments presented here should additional information becomes available. In conclusion, all Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for the attention of Mr. Seoka Lekota.	Noted. All public participation documents have been submitted to the DFFE: Biodiversity and Conservation Directorate at the correct contact details, during the respective comment periods on the project.
I&AP: Siphamandla Mabaso – Eskom: Distribution Division (06 May 2025)			
A4		(Email: 06 May 2025) Please find attached feedback.	Received, with thanks.
		(Letter: 06 May 2025) NOTIFICATION OF COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS (PPP): SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS FOR THE PROPOSED 150 MW CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT ON PORTION 5 OF FARM VARKSENLAAGTE NO. 119 AND PORTION 23 OF FARM DOORNFONTEIN NO. 118, MERA FONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG. Your email received on May 5, 2025, refers. The following Eskom Distribution services are affected / in close proximity -	Thank you for the response received. Eskom's terms and conditions have been noted and the email has been forwarded to the Applicant. All servitude restrictions are noted.

		○ CARMEL DS / KHUTSONG / WILDFONTEIN RR 1 132kV HV Feeder Overhead Line ○ CARMEL DS / HARDEKLIP TRACTION 1 132kV HV Feeder Overhead Line The approximate position of these services is indicated on the attached drawing. Please note that the exact position of these services cannot be guaranteed. Eskom will raise no objection to this application provided its rights and services are acknowledged and respected at all times, and the requirements as laid down by the Occupational Health and Safety Act No 85/1993, are complied with. As additional safety measures Eskom require that the following conditions are complied with: 1. The applicant should apply to the relevant Eskom Customer Services if additional supply is required. 2. Please note that, under no circumstances will any relocation work proceed prior to the submission of a formal application to Eskom Customer Services and acceptance of the relocation costs by the applicant. A formal application for the relocation of Eskom services must be submitted at least three months prior to the commencement of any construction work. 3. The Power supply will be subject to availability of electricity supply and to Eskom obtaining the necessary servitudes, or alternatively that the Developer grants the servitude free of charge. 4. Eskom must have ingress to and egress from its services at all times.	
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		5. Eskom will not allow any encroachment whatsoever e.g. buildings, dams, dumping etc. onto its servitude. 6. Future building, civil, electrical, water and sewerage services plans must be presented to Eskom for perusal and approval prior to any work proceeding in the vicinity of Eskom services. 7. Eskom consent does not relieve the applicant from obtaining the necessary statutory, landowner or municipal approvals. 8. Any modification whatsoever to Eskom services as a result of this application will be for the developer's account. This approval is automatically withdrawn without further notification and becomes null and void if the applicant does not comply with any of the conditions as stipulated above.	
I&AP: Samke Ndlovu – Eskom National Transmission Company of South Africa (02 and 09 June 2025)			
A5		(Email: 02 June 2025) Can I have kmz file for solar footprint.	(Email response: 03 June 2025) Thank you for your email. As requested, please find attached the KMZ file containing the preferred site layout for the proposed Carpe Diem North Solar Photovoltaic Plant (SPP) and associated infrastructure located on Portion 5 of Farm Varkenslaagte No. 119 and Portion 23 of Farm Doornfontein No. 118, near Carletonville, Gauteng. The on-site Carpe Diem North SPP substation and power line grid connection will most likely be a less than 100 m, Loop-in, Loop-out tie-in to an existing 132 kilovolt Eskom High Voltage overhead power line with runs through the development property. This is the Applicant's most preferred layout alternative (Alternative 1) for the project and is located entirely on the development site i.e., Portion 5 of the Farm Varkenslaagte No. 119 IQ (refer to Section 6.5 on pg. 144 of the Draft Environmental

			Impact Assessment Report). Please feel free to contact us should you require any further information or clarification regarding the project.
		(Email: 09 June 2025) Kindly receive condition letter from NTCSA.	Received, with thanks.
		(Email: 09 June 2025) Kindly note that Eskom Distribution is affected by this development.	Noted, thank you. Eskom Distribution is included as an Interested and Affected Party on the proposed development and has provided comment on the Draft Environmental Impact Assessment Report.
		(Letter: 09 June 2025) NOTIFICATION OF COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS (PPP): SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS FOR THE PROPOSED 150 MW CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT ON PORTION 5 OF FARM VARKSENLAAGTE NO. 119 AND PORTION 23 OF FARM DOORNFONTEIN NO. 118, MERA FONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG. Your Reference: I refer to your email dated 05 May 2025 in this regard and wish to inform you that the National Transmission Company South Africa's (NTCSA) Carmel - Pluto 1&2 275kV overhead power line will be affected by this application. <u>Please note that you will liaise on a different level with National Transmission Company South Africa.</u>	Thank you for the response received. Eskom's terms and conditions have been noted and the email has been forwarded to the Applicant. All servitude restrictions are noted.

	<u>Regarding the physical connection into the Carmel substation (NTCSA Grid). This letter also should not be seen as an independent power producer agreement of any kind.</u> Further to the above NTCSA in principle will raise no objection to the proposed Solar PV facility and associated infrastructure provided NTCSA's rights and services are acknowledged and respected at all times. Detailed designs of the proposed access roads and line crossings must be referred to NTCSA. In these designs JUWI Renewable Energies (Pty) Ltd cater for design specific issues such as acute angle crossings, separation distances and clearances between NTCSA's powerline and future power lines and the proposed access roads and line crossing. The following terms and conditions pertaining to the proposed Solar PV must also be borne in mind: 1. NTCSA's rights and services must be acknowledged and respected at all times. 2. NTCSA shall at all times retain unobstructed access to and egress from its servitudes. 3. NTCSA's consent does not relieve the applicant from obtaining the necessary statutory, landowner or municipal approvals. 4. The applicant will adhere to all relevant environmental legislation. Any cost incurred by 5. NTCSA as a result of non-compliance will be charged to the applicant. All work within NTCSA's servitude areas	
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	shall comply with the relevant NTCSA earthing standards in force at the time. 6. No construction or excavation work shall be executed within 20 metres from any NTCSA power line structure, and/or within 20 metres from any stay wire. 7. If NTCSA has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the applicant's activities or because of the presence of his equipment or installation within the servitude restriction area, the applicant shall pay such costs to NTCSA on demand. 8. A profile of the road and detail design of line crossing must be submitted with the clearance height checks must be submitted for final approval of the road. 9. The use of explosives of any type within 500 metres of NTCSA's services, shall only occur with NTCSA's previous written permission. If such permission is granted the applicant must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard. 10. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to NTCSA's requirements.	
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		11. NTCSA shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title and assignee. The applicant indemnifies NTCSA against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with NTCSA's services or apparatus or otherwise. NTCSA will not be held responsible for damage to the applicant's equipment. 12. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of NTCSA's apparatus and/or services, without prior written permission having been granted by NTCSA. If such permission is granted the applicant must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the Lines- and Servitudes Manager. 13. NTCSA's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with. Note: Where and electrical outage is required, at least fourteen work days are required to arrange it. 14. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The applicant shall maintain the area concerned to NTCSA's satisfaction. The applicant shall be liable to	
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	NTCSA for the cost of any remedial action which has to be carried out by NTCSA. 15. The clearances between NTCSA's live electrical equipment and the proposed construction work shall be observed as stipulated by the Regulation 19 of Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993). 16. Equipment shall be regarded electrically live and therefore dangerous at all times. 17. In spite of the restrictions stipulated by Regulation 19 of Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)., as an additional safety precaution, NTCSA will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area. 18. NTCSA may stipulate any additional requirements to eliminate any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of NTCSA plant. 19. It is required of the applicant to familiarise himself with all safety hazards related to Electrical plant. The final design (route and crossings) of your proposed lines, roads, Solar PV and BESS position should be referred to this office for final approval. This will be referred	
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		to the applicable NTCSA Engineer for perusal and final approval. For any further information please contact the writer at the above-mentioned telephone number.	
ACCEPTANCE OF FINAL SCOPING REPORT (18 MARCH 2025)			
I&AP: Lydia Kutu - DFFE; Chief Director: Integrated Environmental Authorisations (18 March 2025)			
A1		Please find herein the attached letter for the above mentioned. Please do not respond to this mailbox with any queries related to the decision been issued. All queries on the attached decision must be directed to official whose contact details is listed as enquiries. I hope you find all in order.	Noted, with thanks.
I&AP: Dr Sabelo Malaza - DFFE; Chief Director: Integrated Environmental Authorisations (18 March 2025)			
A1		ACCEPTANCE OF THE FINAL SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF UP TO 150MW CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, MERAFONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment (PoSEIA) dated	Cognisance taken of the Department's comment.

		February 2025 and received by the Department on 06 February 2025, refer. The Department has evaluated the submitted final SR and the PoSEIA dated February 2025 for the abovementioned proposed development and is satisfied that the documents comply with the minimum requirements of the NEMA EIA Regulations, 2014, as amended (the Regulations). The final SR is hereby accepted by the Department in terms of Regulation 22(1)(a) of the Regulations. You may proceed with the EIA process in accordance with the tasks contemplated in the PoSEIA as required in terms of the Regulations. In addition, the following amendments and additional information are required for the Environmental Impact Assessment Report (EIAR):	
	1	Application form and Listed Activities	
	a)	It is possible that certain activities may be no longer relevant or necessary after the outcome of specialist studies. Ensure that only listed activities that are triggered by this development are applied for in the EIAR for the proposed project. The EIAR must assess the correct sub-listed activity for each listed activity applied for and include thresholds. The onus is on the Environmental Assessment Practitioner (EAP) and applicant to ensure that no other activities are triggered, and the correct activities are applied (including thresholds) as described in the project description.	Cognisance is taken of the Department's comment.

	b)	The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.	Impact assessment and mitigation measures provided in Section 9 of the Draft EIAR, as well as in Appendices F (Impact Assessment Tables), I (EMPrs) and D (Specialist Studies)
	c)	If the activities applied for in the application form differ from those mentioned in the final EIAR, an amended application form must be submitted. Please note that the Department's application form template has been amended recently and can be downloaded from the following link https://www.dffe.gov.za/documents/forms .	Noted, thank you.
	d)	It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property falls within geographically designated areas in terms of Listing Notice 3 Activities e.g. CBA's. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.	Provincial Authorities have been included in the public participation process to date and will continue to be engaged throughout the EAI process. Graphical representation of the proposed development within the respective geographical area/s have been provided throughout the report (Specifically note Figures 2 to 5).
	2	Layout and Sensitivity Maps	
	a)	The EIAR must provide the following: • The final envisioned area for the solar energy facility (SEF), i.e., PV array and all associated infrastructure must be mapped at an appropriate scale, supporting Infrastructure: OHL's, substations, operation and maintenance office, internal roads, offices, and all associated infrastructure should be mapped at an appropriate scale.	Cognisance taken of the Department's comment.

		• The maps must be provided in high resolution and be clear and legible. Ensure to use a definitive icon or colour which contrasts against the background information and colours of the maps provided. An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. • The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure. It must be emphasised that the final EIAR must include a final layout map which adheres to specialist recommendations as well as any identified no-go areas.	
	b)	A copy of the final preferred layout map must be provided which includes all available biodiversity information used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The final layout map must indicate the following: • Permanent and temporary laydown area footprint; • PV array; • Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible); • Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used; • The location of sensitive environmental features on site e.g., CBAs, heritage sites, ridges, wetlands, drainage	Provided in Appendix J and K1, as well as within the EIAR. Sensitivity mapping of sensitive environmental features on site included in Figures 47 and 48. The detail of the site development plan (attached as Appendix J) makes it difficult to overlay the proposed development layout with the site's environmental sensitivities map since some of the development plan features/details (such as boundary roads and fences) become obscured. Nonetheless, an attempt at combining the two maps will be included in final EIAR.

		lines etc. that will be affected by the facility and its associated infrastructure; • All necessary details regarding all locations and sizes of the main substation and internal power lines. • All supporting onsite infrastructure such as laydown areas (temporary and permanent), guard house, control room, and buildings, including and accommodation, OHL, Collector Substation, internal access roads, etc. • Substations and/or transformer(s) sites including their entire footprint; • Location of access and service roads; • All existing infrastructure on the site, especially railway lines and roads; • Buffer areas; • Buildings, including accommodation; and All “no-go” areas.	
	3	Specialist Assessments	
	a)	The EAP must ensure that the terms of reference for all the identified specialist studies must include the following: • 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 authorisations. • Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the	Cognisance taken of the Department’s comment. Refer to Sections 9 and 10 within the EIAR, as well as Appendix D (Specialists Studies).

		right season and providing that as a limitation will not be allowed. • 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. • 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. • 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. • Should a specialist recommend specific mitigation measures, these must be clearly indicated. • Regarding cumulative impacts: - 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. - 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.	
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		- Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process. - The significance rating must also inform the need and desirability of the proposed development. - A cumulative impact environmental statement on whether the proposed development must proceed.	
	b)	Please include a table that shows the proposed studies and the relevant specialists conducting the study, along with the date completed. In addition, a summary should be included of the specialist's recommendations in terms of the alternatives that are preferred based on the findings of their study.	Cognisance taken of the Department's comment. Within the EIAR, refer to Sections 9 and 10, Tables 31 and 37, as well as Appendix D (Specialists Studies).
	c)	Please note that specialist assessments must be conducted in accordance with the 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, 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).	Cognisance taken of the Department's comment.
	d)	Please also ensure that the final EIAR includes the Site Verification Reports as required by the relevant environmental themes and assessments.	Included as Appendix G and in Section 5.5 of the EIAR.
	e)	Please include a table in the report, summarising the specialist studies required by the Department's Screening	Refer to Table 31 within the EIAR.

	Tool, a column indicating whether these studies were conducted and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.	
4	Public Participation	
a)	Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to Department of Forestry, Fisheries, and the Environment (DFFE): Biodiversity Planning and Conservation (BCAdmin@dffe.gov.za); Water Sources and Wetlands Conservation Directorate (StanleyT@dffe.gov.za for attention Mr Stanley Tshitwamulomoni); Protected Areas Management Effectiveness for attention Mr Thivhulawi Nethononda (tnethononda@dffe.gov.za), Ms Mashudu Mudau (mamudau@dffe.gov.za); South African Heritage Resources Agency (SAHRA), Birdlife South Africa, local interest groups, for example: Councillors and Rate Payers associations; surrounding landowners, Farmer Organisations, Environmental Groups and NGOs; and Grassroots communities and structures as well as the affected district and local municipalities.	I&APs which were not already part of the I&AP register have been added to the list and comments from all relevant stakeholders will be submitted to the Department.
b)	Further ensure that all issues raised, and comments received during the circulation of the final SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the	Cognisance taken of the Department's comment.

	proposed activity are adequately addressed in the EIAR. Proof of correspondence with the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.	
5	Environmental Management Programme (EMPr)	
a)	The final EMPr must include the following: • All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted. • An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. • Measures to protect the Estuarine, the wetlands, CBAs, pans, wetlands, and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants. • An alien/invasive plant management report; plant rescue and protection report; and re-vegetation and habitat rehabilitation report. • In addition to the above, the EMPr must comply with Appendix 4 of the NEMA EIA Regulations, 2014, as amended.	Cognisance taken of the Department's comments. Refer to Appendices I1 to I3 (EMPrs).
b)	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 Regulations Listing Notice 1 of 2014, as amended,	Refer to Appendices I1 and I2 (Generic EMPrs).

		and any other listed and specified activities necessary for the realisation of such facilities, the Generic Environmental Management Programme, must be used and submitted with the final report over and above the EMPr for the proposed development i.e. separate EMPr's for the substation, powerline and the proposed development. The onus is on the EAP to determine whether this requirement is applicable.	
6	General		
a)	The EAP is reminded to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAR.	The DFFE case officer, Ms Constance Musemburi, was contacted (telephonically and via email). It was confirmed (telephonically, to be confirmed in writing) that a site visit would not be required.	
b)	Details of the future plans for the site and infrastructure after decommissioning and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.	Cognisance taken of the Department's comment.	
c)	Comments issued by the Department on the draft SR dated 06 December 2024 are still valid and must be adhered to.	Cognisance taken of the Department's comment.	
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.	Cognisance taken of the Department's comment.	
	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	Cognisance taken of the Department's comment.	

		environmental authorisation being granted by the Department.	
COMMENTS ON DRAFT SCOPING REPORT			
I&AP: Salome Mambane - DFFE; Chief Director: Integrated Environmental Authorisations (10 December 2024)			
A1		ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION FORM AND DRAFT SCOPING PROPOSED CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, MERAFONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The Department confirms having received the Application Form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 05 December 2024. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 3 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 21 of the EIA Regulations, 2014 as amended. Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in	Noted, with thanks.

		Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority. Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended. 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.	
I&AP: Dr Sabelo Malaza – DFFE; Chief Director: Integrated Environmental Authorisations (10 December 2024)			
A1		COMMENTS ON THE DRAFT SCOPING REPORT FOR THE DEVELOPMENT OF UP TO 150MW CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, MERA FONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The Application for Environmental Authorisation and draft Scoping Report (SR) received by the Department on 05 December 2024, refer.	Cognisance taken of the Department's comment.

		<u>This letter serves to inform you that the following information must be included to the final SR:</u>	
	1	Application form and Listed Activities	
	a)	Confirm the applicability of Listing Notice 1 Activity 11. This is in reference to proposed grid connections onsite substation/s.	Listed Activity No. 11 of Listing Notice 1 is confirmed to be applicable to the proposed development since the preferred grid connection will be via a Loop-in-Loop-out (LiLo) overhead power line (OPL) tie-in to the existing Eskom 132 kilovolts (kV) OPL which runs through the property, i.e., grid connection will be via an OPL of less than 275 kV.
	b)	Confirm whether Activity 19, Listing Notice 1 and Activity 15, Listing Notice 2 is applicable.	Listed Activity No. 19 of Listing Notice 1 is not applicable to the proposed development since the freshwater specialist has confirmed that there are no watercourses on the site. Listed Activity No. 15 of Listing Notice 2 has been added to the list of triggered activities considering the proposed development will permanently remove more than 20 ha of indigenous vegetation.
	c)	Coordinates must be provided per facility and not the entire study site in the EIA phase. Coordinates must include locations of all proposed infrastructure for e.g. offices, substations, laydown areas, access roads, BESS etc.	Coordinates of specific facilities within the site were provided (per facility) in Appendix K3 (Site Layouts & Co-ordinates) as well as in Section 4.2, Tables 14 to 17, on pages 53 to 66, of the Draft Scoping Report (DSR). Please refer to Section 4.2 of the Final Scoping report (FSR), Figures 7 - 20 (Tables 14 – 27), for the project coordinates provided for all proposed infrastructure. These coordinates will be provided again in the EIA Phase (per facility) and will include any potential updates.
	d)	Please ensure that the relevant listed activities are applied for, are specific (down to sub-activity) and can be linked to the development activity or infrastructure as described in the project description. Please ensure that a full description of how the listed activity is triggered by the proposed development, including the threshold where necessary e.g. length, area etc. Only activities applicable to the development must be applied for and assessed. As such, you are requested to apply your mind to the applicability of listed activity/ies.	Legacy EMC, has reviewed the initial list of Listed Activities and descriptions and has provided a full description of how each activity is specifically triggered down to sub-activity, where required.

	e)	Carefully consider the triggers for Listing notice 3 activities. Please ensure that the provincial department confirms that the systematic biodiversity plans/bioregional plan have been adopted by the competent authority and confirms the development is within these areas. This information must be included in the amended application form and final SR to be submitted.	On September 2, 2015, the Bioregional Plan for the West Rand District Municipality (WRDM), in which municipal area the Carpe Diem North SPP site is located, was officially promulgated and published in Provincial Gazette No. 390 (refer to Appendix K5 of the FSR). This Bioregional Plan is based on the Critical Biodiversity Areas (CBAs) identified in the Gauteng Conservation Plan v3.3, a systematic biodiversity plan developed by the Gauteng Department of Agriculture and Rural Development (GDARD). The Gauteng Conservation Plan v3.3 is specifically mentioned in the gazetted WRDM Bioregional Plan. As a result, no confirmation from GDARD is required regarding the adoption of the WRDM Bioregional Plan or the legal standing of the Gauteng Conservation Plan v3.3 under environmental legislation since the mandatory use of the WRDM Bioregional Plan for the WRDM, DFFE (then referred to as the Department of Environmental Affairs) and the GDARD is indicated in Table 1 of the gazetted WRDM Bioregional Plan. Additionally, the wording of Listing Notice 3 for the Gauteng Province specifies that proposed developments trigger listed activities when located in a mapped CBA or an Ecological Support Area (ESA) as identified in either the Gauteng Conservation Plan or a bioregional plan. Since the Gauteng Conservation Plan v3.3 is specifically mentioned in the gazetted West Rand District Municipality Bioregional Plan, and the site contains a CBA and ESA as identified by the Gauteng Conservation Plan, the thresholds under Listing Notice 3 are met and The EAP requests the DFFE to confirm if this interpretation of the requirements for triggering listed activities under Listing Notice 3 is acceptable.
	f)	You are required to confirm whether the competent authority adopts systematic biodiversity plans or bioregional plans. There are certain activities in Listing Notice 3 that requires that Bioregional Plans to be adopted.	As per the response provided to point 1.e) above, the WRDM Bioregional Plan was adopted in September 2015 (Provincial Gazette No. 390) and makes mention of (and is based on) the Gauteng Conservation Plan v3.3 within which the proposed development site is mapped to contain a CBA and ESA. Since this is a gazetted Bioregional Plan, the implication is that the Competent Authority, GDARD, is obliged to adopt of systematic biodiversity plans with the GDARD and it is therefore Legacy

		EMC's understanding that the thresholds listed for the Gauteng Province under Listing Notice 3 are triggered by the proposed development.
	g)	If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted for final review and decision making. Please note that the Department's templates can be downloaded from the following link https://www.dffe.gov.za/forms .
	2	Alternatives
	a)	A description of the process followed to reach the preferred alternative within the site as per Appendix 2(1)(g) of the NEMA EIA Regulations 2014, as amended, must be incorporated into the final SR.
	b)	Please note that Appendix 2(2)(1)(g)(x) of the NEMA EIA Regulations, 2014, as amended, requires that "if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such" must be included in the SR. You are therefore required to provide motivation should other alternative sites, routes, layouts, and technologies not be considered.
	c)	Ensure that the final SR includes the preferred technology for the Battery Energy Storage System (BESS).
	d)	A comparison table showing the project infrastructure and information would aid in assisting and highlighting similarities and differences between all the projects as part of the cluster.

3	Layout & Sensitivity Maps		
a)	The final layout map must indicate the following (but not limited to the below): • The PV/ BESS development area. • Final position of all infrastructure e.g., PV Panels, BESS, on-site substation, buildings etc. • Permanent laydown area footprint. • All supporting onsite infrastructure e.g., laydown areas, roads, (existing and proposed). • All existing infrastructure on the site. • The location of sensitive environmental features on site e.g., CBAs, ESAs, visually sensitive areas, heritage sites, wetlands, drainage lines etc. that will be affected. • Buffer areas recommended by specialists; and • All “no-go” areas.	Please refer to Figure 48 of the DSR and FSR for the Carpe Diem North SPP site layout map which includes a comprehensive legend/key indicating the SPP features and takes cognisance of biodiversity and other sensitivities as identified by the specialist team.	
b)	Please ensure that the above map has a clear legend that communicates with details of the map.	Figure 48, as mentioned in 3(a) above, contains a comprehensive legend that details and explains features and symbols used in the map.	
c)	The above map must be overlain with a sensitivity map and a cumulative map.	Figure 48, as mentioned in 3(a) above, is overlain with a sensitivity and cumulative maps.	
d)	Images and Google maps will not be accepted for decision-making purposes.	Noted.	

e)	It must be emphasised that the final EIAR must include a final layout map which adheres to specialist recommendations as well as the identified no-go areas and buffer zones.	The current SR includes a preliminary final layout map adhering to the specialist recommendations and identified no-go and buffer areas, and the final Environmental Impact Report will include a final layout map adhering to the same.
f)	Include a description of the process to determine the finalised layout i.e. specialist considerations, site sensitivities etc.	Please refer to Section 6.2 of the FSR, which outlines the site selection process, the preferred layout, and the specialist considerations taken into account.
g)	Please include a separate appendix which contains all relevant mapping information. Ensure that clear, legible maps of high resolution are provided.	Please refer to Appendices J and K1, which provide the various site development plans and the site layout and co-ordinates, respectively.
4	Specialist Assessments to be conducted in the EIA Phase	
a)	Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbines, and all other associated infrastructures that they have assessed and are recommending for authorisations.	The terms of reference listed alongside have been included in the respective specialist studies.
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.	The respective specialist studies included detailed descriptions of methodologies and limitations, and were undertaken in the appropriate season.
c)	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.	No contradicting recommendations have been provided for the proposed development.

	d)	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 note further that the protocols require the specialists' to be registered with SACNASP in their respective field.	Legacy EMC is aware of the specialist study protocols that have come into effect and confirms that all specialist studies conducted for the scoping and environmental impact assessment phase are in accordance with these protocols.
	e)	Please include a table in the report, summarising the specialist studies required by the Department's 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/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.	Please refer to Table 29 of the FSR (as originally included in the DSR), for an indication of the Specialist studies required by the Screening Tool, and the site sensitivity verification and/or motivations given by the Specialist/EAP for the respective sensitivity theme, in line with the Protocols.
	f)	The screening tool output:	Appendix G (Site Sensitivity Verification Report) attached to the DSR and FSR address the requirements of a site sensitivity verification. In addition, Table 29 of the FSR (as originally included in the DSR), provides an indication of the Specialist studies required by the Screening Tool Report (STR), and whether the STR ratings are confirmed or disputed, together with a verification and/or

		- 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. - Site sensitivity verifications for all the identified specialist studies (according to the screening tool) must be provided. - It is the responsibility of the EAP to confirm the list of specialist assessments provided by the screening tool and to motivate in the assessment report, the reason for not including any of the identified specialist study 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. If the findings of the site verification differed from the screening tool and was found to be of a different sensitivity level, then a compliance statement would be acceptable.	motivations given by the Specialist/EAP for the respective sensitivity theme, in line with the Protocols.
	g)	Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.	No contradicting recommendations have been provided for the proposed development.
	h)	The avifauna and bat specialist studies must be conducted according to the latest BirdLife South Africa/Endangered	All recommendations given by the Avifaunal Impact Assessment have been conducted using BirdLife South Africa's input (see the References list given in section 9 of the Avifaunal Impact Assessment – Appendix D4 of the FSR) and have

	Wildlife Trust: Best practice guidelines for avian monitoring and impact mitigation.	been included for implementation of the construction and operational phases of the proposed development (refer to the Section E2.2 of the Construction Phase, Section E4.2 of the Operational Phase).
5	Public Participation Process	
a)	Please ensure that comments from all relevant stakeholders are submitted to the Department with the final SR. This includes <u>but not limited to</u> the Department of Forestry, Fisheries, and the Environment (DFFE): Biodiversity Planning and Conservation (BCAdmin@dffe.gov.za); Gauteng Department of Agriculture and Rural Development, South African Heritage Resources Agency (SAHRA), Water Sources and Wetlands Conservation Directorate (StanleyT@dffe.gov.za for attention Mr Stanley Tshitwamulomoni); South African Civil Aviation Authority (SACAA), Birdlife South Africa, as well as the affected district and local municipalities.	Relevant authorities have been included in the registered I&AP Database (refer to Appendix C1 of the FSR) and were provided with the opportunity to comment on the Draft Scoping Report (DSR) for a minimum of 30 days. Comments received from the DFFE: Biodiversity and Conservation Directorate on 12 December 2024, the SAHRA on 18 November 2024 (initial SAHRA interim response received May 2024 with final Approval received November 2024), and the SACAA on 16 November 2024. The Water Sources and Wetlands Conservation Directorate was inadvertently omitted from the initial public participation process (PPP) but have subsequently been approached for comment (with a specific 30 day comment period). No comment has been received to date from GDARD or Birdlife South Africa. Note: Although these stakeholders did not provide comment on the DSR within the respective comment period (despite being informed of the comment period on 14 November 2024 and an extension to the comment period on 03 December 2024, as well as a follow-up email on 22 January 2025), should any late comments be received, the Competent Authority will be informed of same.
b)	<u>Proof of correspondence</u> with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.	Proof of notification and correspondence with the key stakeholders of the availability of the DSR for comment is provided in Appendix C4 to the FSR.
c)	The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the NEMA EIA Regulations 2014, as amended.	Public participation was conducted as per the relevant requirements of the EIA Regulations of 2014, as amended.

	d)	The comments and response trail report (C&R) must be submitted with the final SR and subsequent documentation. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter. Where necessary, comment received for specific projects must be clearly depicted.	This report is submitted as the separate Comments and Responses Report (C&RR) which accompanies the FSR as Appendix C5 of same. The C&RR format is tabulated in two table due to the length of the comments received and/or response given. The requirements of Annexure 1 of the Department's comments are met when the two C&RR tables are viewed in tandem.
	e)	Please ensure that all issues raised, and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department's comments) in respect of the proposed activity are adequately addressed. Comments made by I&APs must be comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.	All issues raised and comments received have been included <i>verbatim</i> with an appropriate response.
	6	Cumulative Assessment to be conducted in the EIA Phase	
		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: - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land. - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations,	Figure 50 in Section 9.3.11 of the DSR and FSR, indicates the number of Solar developments identified within a 30 km radius of the proposed development site. Specialist assessments and ratings of the respective cumulative impacts (as per Appendices D and F) support the cumulative impact environmental statement that the proposed development may proceed subject to Specialist and Authorities recommendations and conditions. A summary of the Specialist assessments and ratings of the cumulative impacts associated with the project of the proposed development was included in Section 9.5 of the DSR and FSR.

		mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. • The cumulative impacts significance rating must also inform the need and desirability of the proposed development. • A cumulative impact environmental statement on whether the proposed development must proceed.	
	7	Environmental Management Programme (EMPr)	
	a)	The EMPr must include the following: • 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/s, must be signed and submitted with the final report over and above the EMPr for the facility. • 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.	All relevant EMPrs were submitted with the DSR and also form part of the FSR submission – this includes the generic EMPrs as contemplated in Regulations 19(4), 23(4) and Appendix 4 to the Environmental Impact Assessment Regulations, 2014, as amended (refer to Appendix I of the FSR).

	b)	The EMPr must consider the following, and where possible, include: • An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken. • A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase. • An avifauna monitoring and management plan to be implemented during the construction and operation of the facility. A suitably qualified avifauna specialist must draft this plan. • A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.	The EMPr does consider the following as accounted for consecutively below: • An Alien Invasive Species Management Plan (Appendix D of the Standard EMPr) has been drawn up for implementation for all project phases to manage invasive species effectively. • The Rehabilitation Monitoring Plan included under Appendix E of the Standard EMPr includes 'Botanical search and Rescue' measures to be undertaken prior to construction. • A post-construction Avifaunal Monitoring Plan has been drafted under Appendix C of the FSR. During the construction phase responsibility is placed on the ECO/Contractor to monitor avifaunal impacts as per section 2.2 of the Construction Phase Management in the Standard EMPr. • A Rehabilitation Monitoring Plan included under Appendix E of the Standard EMPr includes measures and methodology to implement re-vegetation and habitat rehabilitation post-construction. Refer also to the rehabilitation required under 'Soil Management' under section 2.2 and the 'Vegetation Rehabilitation Programme' in section E2.2.2. of the Construction Phase Management in the Standard EMPr. • An Open Space Management Plan has been compiled and appended to the
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		• An open space management plan to be implemented during the construction and operation of the facility. • A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations. • A transportation plan for the transport of components, main assembly cranes and other large pieces of equipment. • A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.	Standard EMP as Appendix G. • Please refer to Section E2.5 of the Construction Phase Management of the Standard EMP for the Traffic Management Plan applicable to the site. • A Transportation Plan has been compiled and appended to the Standard EMP as Appendix H. • A Stormwater Management Plan has been created for the site by UDS Africa in March 2024 (refer to Annexure A of Appendix D9 of the FSR). This Plan will need to be updated to reflect the latest site layout for the Carpe Diem North SPP.
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		• A fire management plan to be implemented during the construction and operation of the facility. • An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion. • An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems. • Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.	• Please refer to the Fire Management Plan provided per project phase in the Standard EMPr within Section E2.2.1.1. of the Construction Phase, Section E4.1.2. of the Operational Phase and Section E2.3. of the Decommissioning Phase Management Tables respectively. • Please refer to Section E2.1.5. and Section 2.2 of the Construction Phase Management of the Standard EMPr which provides for institution of measures to prevent soil erosion and to rehabilitate the site should erosion have occurred. • Please refer to Section E2.1.6, E2.2.3. of the Construction Phase Management of the Standard EMPr for the addressal to spillages on site and the responsibility placed on the ECO to monitor compliance for the duration of the contract, whilst the Contractor is to recycle or dispose of contaminated soil at a hazardous waste disposal site and to ensure that spillage of hazardous substances on site are addressed immediately and appropriately. • Please refer to Section 3.4 of the Construction Phase Management in the Standard EMPr for the measures to mitigate for hydrological impacts such as spillages and to protect hydrological features.
	c)	The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and not included in the EMPr.	N/A
		General	
		You are reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: <i>"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the</i>	The Applicant acknowledges the requirements outlined in the NEMA EIA Regulations of 2014, as amended. The FSR will be submitted to the competent authority within 44 days of receipt of the application, in accordance with Regulation 21(1).

		<i>competent authority, submit to the competent authority a SR which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</i>	
		You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of SRs in accordance with Appendix 2 and Regulation 21(1) of the NEMA EIA Regulations 2014, as amended.	The FSR has been compiled to ensure full compliance with the requirements of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended (NEMA), as outlined in Table 1 on pgs. 11-14 of the FSR.
		Further note that in terms of Regulation 45 of the NEMA EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).	We appreciate the Department's guidance and remain committed to adhering to all regulatory requirements throughout the environmental assessment process.
		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.	The Applicant is aware of the stipulation under Section 24F of NEMA, which prohibits any activities from commencing prior to receiving the Environmental Authorisation (EA). Consequently, the Applicant will ensure that no activities are initiated until the EA has been granted.
I&AP: Khanyisile Bonile - South African Heritage Resources Agency (18 November 2024)			
A2		Please note that all development applications are processed via our online portal, the South African Heritage Resources Information System (SAHRIS) found at the following link: http://sahra.org.za/sahris/ . We do not accept	Thank you for your email. The Heritage specialist, PGS Heritage, has undertaken the submission of the development application with the South African Heritage Resources Information System (SAHRIS) – Case ID: 22458.

		emailed, posted, hardcopy, faxed, website links or Dropbox links as official submissions. Please create an application on SAHRIS for each EA application and upload all documents pertaining to the Environmental Authorisation Application Process. As per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process, and the assessment must comply with section 38(3) of the NHRA. If a case already exists on SAHRIS regarding the development, please upload the documents to that case using the "Make an additional submission to an existing case" in the application selector wizard https://sahris.org.za/form/application-selector. Please ensure that all documents produced as part of the EA process are submitted as part of the application. **PLEASE NOTE** An application fee is now required for all section 38 applications. Please ensure that the SAHRIS application contains a proof of payment as per the notice at the following link: https://sahris.org.za/help. A payment of R 2 000.00 for each application is required. Please make separate payments with the specific reference numbers. Applications that do not include a proof of payment will be considered incomplete and will not be processed until proof of payment is provided. Please make use of the SAHRIS Case ID in the payment reference. e.g. 12345/38.8. Please upload the PoP using the "Make an additional submission to an existing case" in the application selector wizard	
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		https://sahris.org.za/form/application-selector . The case officer assigned to your case will approve the submission and begin to process the case.	
I&AP: Lindiwe Victoria Dlamini: DFFE: Biodiversity and EIA Mainstreaming Directorate (26 November 2024)			
A3		DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 14 November 2024 to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs P Makitla and Ms Nompumelelo Lekalakala (Copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers. Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for attention of Mr Seoka Lekota	Thank you for your email. As requested, @Portia Makitla and @Nompumelelo Lekalakala please refer to the zipped folder for the shape files of the proposed Carpe Diem North Solar Photovoltaic Plant and Associated Infrastructure on Portion 5 of Farm Varkenslaagte No. 119, near Carletonville, Gauteng. Please don't hesitate to contact us should you require any further clarity and/or information on the project.
I&AP: Amanda Magubane: DFFE: Biodiversity and EIA Mainstreaming Directorate (12 December 2024)			
A3		Please find the attached for your consideration.	<i>(Refer to response provided to the comments given to Mr. Seoka Lekota on 12 December 2024 below.)</i>
I&AP: Mr Seoka Lekota: DFFE: Biodiversity and EIA Mainstreaming Directorate (Control Biodiversity Officer Grade B: Biodiversity Conservation) (12 December 2024)			
A3		COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED CARPE DIEM SOLAR PHOTOVOLTAIC PLANT AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, NEAR CARLETONVILLE,	Thank you for the comments provided by the Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity and EIA Mainstreaming Directorate on the proposed large-scale Carpe Diem North Solar Photovoltaic Plant and associated infrastructure on Portion 5 of Farm Varkenslaagte No. 119, near Carletonville, Gauteng.

	MERAFONG CITY MUNICIPALITY, GAUTENG PROVINCE The Directorate: Biodiversity Conservation has reviewed and evaluated the reports.	
	It was noted that according to the report, the proposed project area is situated within the Carletonville Dolomite Grassland and in the Gauteng Shale Mountain Bushveld (Mucina & Rutherford, 2006 – as amended) and that both are listed as Least Threatened.	The vegetation types and ecosystem threat status given for the site is correct.
	After reviewing the Draft Scoping Report, the Department has the following comments to be addressed in the Final Scoping Report:	
	Very highly sensitive habitats near the development footprint must be avoided or demarcated as No-Go areas (i.e. Drainage lines, watercourses etc.). Where possible appropriate buffer must be established around highly sensitive habitats (i.e. Watercourses).	All very high sensitive habitats have been avoided and demarcated as no-go areas within the Carpe Diem North SPP site layout (refer to Figure 48 of the FSR, which indicates the site overlain with biodiversity sensitivities). Appropriate buffers as recommended by the respective project specialists have been established and respected by the site layout.
	Please note that no development is supported in any CBA areas and that the proposed project should ensure that requirements of the National Environmental Management Biodiversity Act (Act 10 of 2004) are adhered to.	A site map based on the Gauteng Conservation Plan shows the study area mainly within a CBA 2 (Important) and an ESA. The terrestrial biodiversity specialist verified that the site intersects a CBA Optimal and ESA and provided an updated map of the site in relation to CBAs and ESAs (refer to Figure 5-1 of Appendix D3.1. of the FSR). Accordingly, the specialist recommended designated no-go areas for exclusion from development. All high-sensitivity areas, including verified CBAs, ESAs, and buffer zones, have been strictly avoided by the site layout.
	The Species Environmental Assessment Guideline (SANBI, 2021) must be applied to	The South African National Biodiversity Institute's Species Environmental Assessment Guideline (SANBI, 2021) was applied by the terrestrial biodiversity

		assess the Site Ecological Importance (SEI) of the proposed site. Based on the outcomes of the SEI determination, areas within the PAOI that possess a 'Very High' SEI denote that avoidance mitigation is the only appropriate option for these areas and no unplanned/authorized destructive development activities should be considered.	specialist to assess the site ecological importance (SEI) – refer to the Reference List provided for under Section 8 of the Terrestrial Biodiversity Assessment (Appendix D3.1 of the FSR).
		The Alien Invasive Plant Species Management Plan and Rehabilitation Plan must be developed and submitted to mitigate habitat degradation due to erosion and alien plant invasion.	An Alien Invasive Species Management Plan (Appendix D of the Standard EMPr) has been drawn up for implementation for all project phases to manage invasive species effectively.
		The Environmental Impact Assessment report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring that impact of solar energy facilities on birds in Southern Africa.	Please refer to Section 2.3 of the Avifaunal Impact Assessment, which demonstrates how the Birds and Solar Energy Best-Practice Guidelines (2017) have been complied with by the Avifaunal Impact Assessment. Also refer to Table 11 of the FSR, which indicates the applicable guideline documents considered as part of the Scoping and Environmental Impact Assessment process.
		All surface infrastructure must be concentrated on habitats of medium and low avifaunal sensitivity.	The site selection process for the placement of surface infrastructure was guided by the opportunities and constraints assessment undertaken for the originally proposed development area by the project's various specialists. The surface infrastructure for the facility are all located within low and medium avifaunal sensitive areas.
		Birdlife-SA must be added to the key stakeholder list and comments must be obtained from them.	BirdLife Africa were included in the list of Interested and Affected Parties but have not yet provided any comments on the proposed development despite a reminder email being sent to them. BirdLife Africa will remain on the project's I&AP database for the EIA phase of the project.
		In conclusion, the Public Participation Process documents related to Biodiversity EIA from review and queries should	All public participation documents for review thus far have been submitted to the DFFE: Biodiversity and Conservation Directorate at BCAdmin@dffe.gov.za (for

		be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	attention Mr Seoka Lekota) and will continue to be submitted to same. Any responses to comments received from the Directorate will be issued to the relevant case officer and an parties copied in to the case officer's communication.
I&AP: Samke Ndlovu: Eskom National Transmission Company of South Africa (23 January 2025)			
A5		Please send me kmz file of your solar panel footprints.	Thank you for your email. As requested, please see the attached kmz file for the footprint of the proposed Carpe Diem North Solar Photovoltaic Plant (SPP) with associated infrastructure on Portion 5 of Farm Varkenslaagte No. 119. Take note that this property boundary is outlined in the colour red within the kmz.
I&AP: John Geeringh: Eskom National Transmission Company of South Africa (Senior Environmental Manager) (19 November 2024)			
A5		Please send me a KMZ file of the proposed development. Please find attached Eskom requirements for work at or near Eskom infrastructure and servitudes, as well as a setbacks guideline for RE Developments.	Thank you for your email below. Please find the requested kmz file for the proposed Carpe Diem North Solar Photovoltaic Plant on Portion 5 of Farm Varkenslaagte No. 119, near Carletonville, Gauteng. The Proponent is aware of the setback guidelines for RE developments and has already engaged Eskom's Grid Access Unit to address the regulated requirements.
I&AP: Makaringe Sibongile: Department of Water and Sanitation (15 November 2024)			
A6		(Email: 15 November 2024) Kindly remove Ms Petunia Ramunenyiwa from the mailing list as she is not responsible for the function, your email has been forwarded to the relevant office.	Thank you very much for your email below and for forwarding our correspondence to the correct office. We will remove Ms Ramunenyiwa's name from our contact list of interested and affected parties (I&APs). Please could you provide us with the relevant office's contact details, so that we may add them to our I&AP register and prevent this inadvertent error from occurring again. Once again thank you for your assistance.

		(Email: 15 November 2024) Please find below details as requested: Maluleke Justice (PH GAU) MalulekeJ@dws.gov.za; Dr Mmachaka Thandi (GAU) MmachakaT@dws.gov.za; Mamabolo Mmamala Florah (GAU) MamaboloF@dws.gov.za	Thank you for your prompt and efficient response. It is much appreciated! <i>(These additional DWS contacts have been included in the I&AP database and notified of the DSR and associated documents for comment)</i>
I&AP: Nrateng Mashiloane: South African Civil Aviation Authority: Aviation Environmental Compliance Department (19 November 2024)			
A7		SACAA has no comments for the proposed development. However, a formal obstacle assessment is required for the proposed development as it includes the establishment of Solar Photovoltaic plant ,overhead powerline and associated infrastructure. Kindly lodge an application as published on the SACAA website: www.caa.co.za/industryinformation/obstacles/ .The list and contact details of the approved obstacles assessment services providers can be obtained from the CAA website: www.caa.co.za.	Thank you for your email. The Proponent has been forwarded your email as notification of the SACAA/ATNS requirements detailed below.
I&AP: Gustav Janse van Rensburg (CEO / HUB Skillspro Group) (15 November 2024)			
P1	1	Please send me the correct and required documents/forms to register as AN INTERESTED AND/OR AFFECTED PARTY. Otherwise please send me the correct procedures to register!!! My farm is direct next to your proposed development and up to now numerous questions are unanswered.	<u>Email sent by Legacy EMC on 18 November 2024:</u> Thank you for your email. Please note that you are already registered as an Interested and/or Affected Party on the proposed Carpe Diem North Solar Photovoltaic Plant project. Please submit your questions/comments on the Draft Scoping Report and its associated documents to us during the respective comment-period for the project. <u>Email sent by Legacy EMC on 29 November 2024:</u> As per our telephonic discussion yesterday, Legacy EMC notes the request for response to your email sent on 15 November 2024. Please accept my sincere

			apologies—I had believed my response on 18 November 2024 had reached your inbox, but realise you were mistakenly omitted from the email reply below. Please take note that since you are an immediate neighbour to the proposed Carpe Diem North Solar Photovoltaic Plant, you are already <u>registered</u> as an Interested and/or Affected Party on the project and would have been notified on 14 November 2024 of the opportunity to comment on the Draft Scoping Report (DSR) and its associated documents. Please submit your comments/concerns on the DSR and its associated documents to Legacy EMC during the respective comment-period for the project. The DSR for this project is still under internal review and should be finalised today. Once finalised, an email will be sent out to notify Interested and Affected Parties (including yourself) of a 30-day comment period on the reports. In the meantime, please comment and review the available associated documents for the project as accessible from our website (www.legacyemc.co.za) or from the following OneDrive link: ☐ DSR for I&AP Comment 14112024. We await to hear from you.
I&AP: Sbusiso Nhlapo (19 November 2024)			
P2	1	We saw an Advert about JUWI renewable project in Merafong and we would like to get more information about the project and how it affects us. My number is 067-858-0123 Merafong Business Chamber	<u>Email sent by Legacy EMC on 03 December 2024:</u> Thank you for your email. You are now a registered Interested and Affected Party on the proposed large scale Carpe Diem North Solar Photovoltaic Plant with associated infrastructure, situated near Carletonville, within the Merafong City Local Municipality. All available information on this project can be downloaded directly from the following OneDrive link: DSR for I&AP Comment_14112024 or otherwise, directly from Legacy EMC website: https://www.legacyemc.co.za/download/cdn-spp/. Please note that Legacy Environmental Management Consultants (EMC) engages via written means only at this stage of the process and Legacy EMC are not involved in the commercial/business aspect of this project. Details of the Applicant (Developer) are available via the link and website details provided above. Legacy EMC will pass your

			details on to the Applicant. I respectfully request that all future correspondence with Legacy EMC be via email only.
		Our areas of concern are as follows: 1. This project must speak to SMME development and Skills transfer. 2. Employment trends. 3. Outline the project phases. 4. Environmental report and how it affects us residents. 5. Detailed assessment of burial sites, historical archaeological sites etc. 6. If there's going to be the movement of graves, SMEs would like to be involved. 7. Direct benefits of the project to the community in totality. 8. SMME's would like to participate in so called Technical work opportunities etc.	Email sent by Legacy EMC on 29 January 2025: Thank you for your comments on the Draft Scoping Report (DSR) and its associated documents for the proposed Carpe Diem North (CDN) Solar Photovoltaic Plant (SPP) and associated infrastructure. Below are responses to your concerns, addressed in the order in which they were raised: 1. Please refer to the Socio-Economic Assessment Report (Appendix D7 of the DSR) and Section 9.3.10 of the DSR, which detail the positive socio-economic impacts the proposed project is expected to have on small businesses. 2. The project aims to prioritise local employment and skills development wherever possible and to implement a fair procurement strategy, as outlined in Section 3.5.1 of the Standard Environmental Management Programme (EMPr) (Appendix I3 of the DSR). 3. The project is currently in the Scoping Phase of the Scoping and Environmental Impact Assessment (EIA) Process to obtain environmental authorisation (EA). The Scoping Phase is expected to end by the end of March 2025 with the EIA Phase ending by the end of June 2025. An EA is expected by the end of October 2025. If an EA is granted, the project construction and operation timelines for will depend on the Developer. Please note that the Applicant for the S&EIA Process may not be the Developer of the project. Details of the Applicant can be accessed via the links provided below, and your details have been shared with the Applicant. 4. Documents associated with the Scoping and EIA Process were made available to the public for comment from 14 November 2024 to 24 January 2025. Although the comment period for this (Scoping) Phase is closed, the

			documents may still be viewed on the Legacy EMC website: https://www.legacyemc.co.za/download/cdn-spp/. Information on community benefits from the project is available in Section 1.4 and Section 6.2.4 of the DSR. Please note that another public participation process will be held during the EIA Phase. - Graves were identified during the full Heritage Impact Assessment (Appendix D6.1 of the DSR) undertaken for both the Carpe Diem sites (North and South). These graves will not be moved or affected by the CDN project since they were found on the southern site (Portion 27 of Farm Doornfontein No. 118). The graves do not form part of the CDN SPP project since they are located on Portion 5 of Farm Varkenslaagte No. 119 and are not part of the project footprint. - There will be no disturbance to graves on the southern site. A buffer zone will be established, and graves will be managed in accordance with a Grave Management Plan to ensure their protection. - Please refer to the response provided in point 2 above. - Legacy EMC is not involved in the commercial or sub-contractual business process during construction or operational stages of the project and cannot directly assist SMMEs seeking work opportunities. However, as mentioned in point 2 above, the project recommends prioritising local employment and skills development wherever possible and to implement a fair procurement strategy. Any potential future Developer will have to adhere to the authorised recommendations and conditions of the project.
I&AP: Khanya Ntushelo (22 January 2025)			
P3	1	My name is Khanya Ntushelo and I would like to register as an I&AP in the Carpe Diem North SPP project in Gauteng. Attached is the entry form from the website pertaining to public participation registration.	Email sent by Legacy EMC on 22 January 2025: Thank you kindly for submitting your comments on the Draft Scoping Report for the proposed large-scale Carpe Diem North Solar Photovoltaic Plant (SPP) with associated infrastructure, situated near Carletonville, within the Merafong City Local

		Comments have been made on the form as instructed.	Municipality. Please note that we will respond to your comments once reviewed, and have now registered you as an Interested and Affected Party on the project.
	2	The Environmental Assessment proves to not illicit direct impacts however the cumulative effects specifically the visual characteristics as well as the construction cause repairable damage to soil erosion and soil degradation. Safety for workers on site should be priority for the assigned ECO.	<u>Email sent by Legacy EMC on 29 January 2025:</u> Legacy EMC take note of the concerns raised on the cumulative effects of the proposed large-scale Carpe Diem North SPP facility, specifically in relation to visual impacts and to soil erosion and degradation. The Standard Environmental Management Programme (EMPr) addresses the two concerns raised: First, refer to Section E3.3 of the Construction Phase Management in the EMPr, which provides measures to minimise visual impacts of the development during the construction phase. These measures include planning site layout to retain natural vegetation, limiting construction to designated zones, and using colours for infrastructure that blend with the surroundings. Second, detailed actions to ensure thorough soil management during the construction phase are outlined under Section E2.2 of the Construction Phase Management of the Standard EMPr. These measures include installing drainage systems, rehabilitating disturbed areas with indigenous vegetation, and managing topsoil during excavation to mitigate erosion effectively. In addition, the EMPr includes provisions for worker safety and protection. As part of the Environmental Awareness and Training, a Health and Safety Officer must and will be appointed before construction begins. Training for all contractors and workers ensures compliance with health and safety protocols for the project which at a minimum include adherence to legal requirements. Monthly monitoring by the Environmental Control Officer (ECO) ensures compliance with these provisions, demonstrating that the EMPr proactively manages the raised concerns.
I&AP: Michael Leach, Project Developer - Atlantic Energy Partners (23 January 2025)			

P4	1	Thank you for notifying me of the availability of the Carpe Diem North Solar Photovoltaic Plant Draft Scoping Report. I noticed that the PPP timeframe you have given is actual 29 days, because you have included the day that the notice was sent out (i.e. Thursday the 14th), whereas the timeframe needs to be calculated from the day following the issuing of the notice. 30 days would be the 14th of December, which is a Saturday unfortunately. Could you please extend the timeframe until 06 January 2025?	<u>Email sent by Legacy EMC on 15 November 2024:</u> Thank you for your email. Please note that all I&APs will be notified, in due course, of an extension in the public participation process comment period to 09 January 2025. We look forward to receiving your valued input.
	2	Thank you for the reminder of the commenting period. I have no comments at this stage. Please keep me on the I&AP register.	<u>Email sent by Legacy EMC on 23 January 2025:</u> Thank you for your email. As per your request, you will remain on the I&AP Database for this project.
Late Comments Email Correspondence with Mr. Wilhelm Rost (public member – P5) and with the DFFE: Water Sources and Wetlands Conservation Directorate			
I&AP: Wilhelm Rost, Townscape Planning Solutions – <i>late comments received on 24 February 2025</i>			
P5	1	<u>Email sent by P5 on 23 January 2025:</u> Carpe Diem North Solar Photovoltaic Plant has reference. We received this notice form one of the other I&IP's We are representing Muiskraal Lewende Trust in this matter, they own Portion 28 of the farm Doornfontein 118 IQ as well as several other properties in the area. We noted that you have excluded the Muiskraal Lewende Trust from your list of I&IP, not sure why. We herewith request 30days to provide comments on the document provided.	<u>Email response sent by Legacy EMC on 23 January 2025:</u> Thank you kindly for your email. Legacy EMC apologises for the oversight of not directly including the Muiskraal Lewende Trust in this round of public participation and values any input to be submitted by the Trust. Therefore, Legacy EMC are happy to extend the comment period for the Muiskraal Lewende Trust by a period of 30-days until Monday, 24 February 2025. The Draft Scoping Report and its Appendices can be downloaded directly from the following OneDrive link:  DSR for I&AP Comment 14112024 or otherwise, directly from Legacy EMC website: https://www.legacyemc.co.za/download/cdn-spp/.

	The trust is a neighbour and do have a vested interest in the area. Please confirm that you have add us and that the extension is in order.	<u>Email reminder sent by Legacy EMC sent on 21 February 2025:</u> This email serves as a reminder to the Muiskraal Lewende Trust to submit written comments on the Draft Scoping Report (DSR) and associated documents for the Carpe Diem North Solar Photovoltaic Plant (SPP) and Associated Infrastructure on Portion 5 of the Farm Varkenslaagte No. 119, near Carletonville, Merafong City Municipality, West Rand District Municipality, Gauteng. The comment period on the DSR and associated documents closes on Monday, 24 February 2025 and can be downloaded directly from the following OneDrive link: DSR for I&AP Comment_14112024 or directly from Legacy EMC's website at https://www.legacyemc.co.za/download/cdn-spp/. We look forward to receiving your comments.
2	<u>Late Comments - Email sent by P5 on 24 February 2025:</u> Thank you, we did go through all the documents – well constructed and addresses most of the concerns. Only comment is that Mr Fouche will not allow any servitude to cross his land. Trust you find this in order.	Thank you kindly for your response. We note that you have gone through the relevant documentation for the project and find therein that most of your concerns have been addressed. Kindly confirm if Mr. Fouche owns Portion 28 of the Farm Doornfontein No. 118?
3	<u>Late Comments - Email sent by P5 on 26 February 2025:</u> Muiskraal Lewende Trust owns Portion 28 of the Farm Doornfontein No. 118 IQ. Mr Fouche is one of the trustees. Trust this addresses the issue.	Noted, thank you.

ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FORM AND DRAFT SCOPING REPORT (18 MARCH 2025)

I&AP: Lydia Kutu – DFFE: Integrated Environmental Authorisations: Priority Infrastructure Department

A1	ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION FORM AND DRAFT SCOPING REPORT FOR THE PROPOSED CARPE DIEM SOUTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTIONS 27 AND 23 OF THE FARM DOORNFONTEIN NO. 118, MERAFONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The Department confirms having received the Application Form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 17 March 2025. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 3 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 21 of the EIA Regulations, 2014 as amended.	The acknowledgement of the new application submission is well received.
	Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such	All potential I&APs have been provided with an opportunity to comment on the respective reports for a minimum period of 30 days.

		reports once an application has been submitted to the Competent Authority.	
		Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.	Noted, with thanks.
		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.

ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FORM AND DRAFT SCOPING REPORT (10 DECEMBER 2024)

I&AP: Salome Mambane – DFFE: Integrated Environmental Authorisations: Priority Infrastructure Department

A1		ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION FORM AND DRAFT SCOPING PROPOSED CARPE DIEM NORTH SOLAR PHOTOVOLTAIC PLANT (SPP) AND ASSOCIATED INFRASTRUCTURE ON PORTION 5 OF THE FARM VARKENSLAAGTE NO. 119, MERAFONG CITY LOCAL MUNICIPALITY, WEST RAND DISTRICT MUNICIPALITY, GAUTENG PROVINCE. The Department confirms having received the Application Form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 05 December 2024. You have submitted these documents to	The acknowledgement of the new application submission is well received.
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	comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 3 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 21 of the EIA Regulations, 2014 as amended.	
	Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority. Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.	All potential Interested and Affected Parties (I&APs) have been provided with an opportunity to comment on the respective reports for a minimum period of 30 days.
	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, with thanks.

Late Comments Email Correspondence with Mr. Wilhelm Rost (public member – P5) and with the DFFE: Water Sources and Wetlands Conservation Directorate.