Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07
VAT No 4720248386

Telephone: (044) 874 0365
Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George 6530

COMMENTS AND RESPONSES REPORT[1]

PROPOSED TABOR SOLAR PV FACILITIES[2] AND INTEGRATED GRID CONNECTION INFRASTRUCTURE IN THE MAKHADO LOCAL MUNICIPALITY IN THE VHEMBE DISTRICT, LIMPOPO PROVINCE

DFFE REFERENCE NUMBER	DFFE CASE OFFICER	PROPONENT
14/12/16/3/3/2/2698	Ms Zamalanga Langa	Bethel Solar PV (Pty) Ltd
14/12/16/3/3/2/2699	Mr Lunga Dlova	Draailoop Solar PV (Pty) Ltd
14/12/16/3/3/2/2700	Ms Makhosazane Yeni	Klipput Solar PV (Pty) Ltd
14/12/16/3/3/2/2701	Ms Thulisile Nyalunga	Makoppa Solar PV (Pty) Ltd

TABLE OF CONTENTS

SUMMARY OF KEY ISSUES 2
COMMENTS RECEIVED ON THE REVISED DRAFT ENVIRONMENTAL IMPACT REPORT 5
COMMENTS RECEIVED ON THE FINAL ENVIRONMENTAL IMPACT REPORT 352
COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT 397
COMMENTS RECEIVED ON THE FINAL SCOPING REPORT 450
COMMENTS RECEIVED ON THE DRAFT SCOPING REPORT 493

[1] This comments and Responses includes comments and responses from the full extent of the environmental process from inception to submission of the Final EIR for decision making.

[2] The Tabor Solar Facilities include Bether Solar PV, Draailoop Solar PV, Klipput Solar PV, Makoppa Solar PV as well as their associated Grid Connection Infrastructure. All comments and responses outlined in this report are applicable to all 4 applications unless otherwise stated.

SUMMARY OF KEY ISSUES

The table below provides a concise summary of the key issues identified during the Environmental Impact Assessment (EIA) process for the proposed projects. It highlights the key aspects such as biophysical risks, social and heritage concerns, regulatory compliance, and stakeholder engagement etc. The purpose of this table is to list the key issues raised in the environmental process. The detailed responses to each of these aspects showing how they were considered and how the proposal has been adapted where necessary are included in the Comments and Responses section which follow this section.

Regulatory & Stakeholder concerns raised.

CATEGORY	CORE ISSUES RAISED
Regulatory compliance (NEMA EIA Regs)	- Final EIAr must comply with Reg. 23 (content, PPP ≥30 days, incorporation of CA comments); - Submit within timeframes; lapsing risk.
Listed activities & application forms	- All relevant LN1/LN3 activities (sub-listings/thresholds) must match project description; - Amend application if differences.
Alternatives (site/layout/technology)	- Full record per Appendix 2(2)(1)(g); - Clarity on preferred; alignment with specialists.
Site layout & sensitivity mapping	- Final maps must show PV/EGI/infrastructure, existing infrastructure, road widths, sensitive features & buffers, No-Go areas, legend & north arrow; cumulative overlays.
Cumulative impact assessment	- Refine cumulative impacts (existing/authorized/proposed within 30 km); - Link specialist recommendations; - Significance informs need & desirability; - Include cumulative map & statement.
Public Participation Process (PPP)	- Inclusive PPP (Reg. 39–44); - Capture/quote I&AP comments; - Proof of correspondence; - Address CPA objections; - Use local languages & accessible venues; - Reach vulnerable groups.
Specialist submissions & protocols	- Submit biodiversity/avifauna/heritage to authorities (BCAdmin, LEDET, BirdLife, VulPro, SAHRA); - comply with 2020 Protocols.
EMPr requirements (Appendix 4)	- Complete generic EMPr Part B;

	- Sign originals; - Ensure inclusion of specific actions in Section C for sensitivities; - Ensure applicant details consistent.
External agencies / biosphere	Consult Vhembe Biosphere, Protected Areas sections, SARAO/SKA, SACAA/ATNS, Eskom, SANDF, municipalities, etc.

Environmental & Technical concerns raised.

CATEGORY	CORE ISSUES RAISED
Biodiversity (terrestrial & aquatic)	- Avoid CBAs; - Maintain 32 m wetland buffers; - Demarcate No-Go areas; - Minimize clearing; - Pre-construction faunal walkdown; - Invasive plant risk (Tree Cholla).
Avifauna (vultures & SCC)	- Collision/electrocution risks; - Proximity to roosts; - Require bird-friendly designs, line diverters, anti-perch; - Post-construction monitoring (≥2 years).
Visual/LVIA & sense of place	- OHPL vs PV inconsistency; - Cumulative LVIA; - Lack of photomontages; - Dark-sky impacts (light spill); - Glint/glare omission.
Data & methods (DEM/Viewshed)	- Challenge to ASTER/SRTM DTM accuracy; - Request for high-res DEM/LiDAR.
Layout refinement & buffers	- Avoid high-sensitivity features; - Maintain internal buffers (e.g., 100 m along roads/boundaries).

Heritage & Living Cultural Landscape concerns raised.

CATEGORY	CORE ISSUES RAISED
HIA scope & consultation	- Inadequate treatment of living/intangible heritage, oral histories, graves; - Requests Living Heritage Assessment, - Mapping,

	- GPR; - Elders' consultation.
Restitution context in HIA	- Explicit integration of land claim context.

Land Restitution & Legal/Procedural concerns raised.

CATEGORY	CORE ISSUES RAISED
RLRA s11(7) compliance	- Challenges relating development on claimed land; - Proof of RLCC notification & consent; - Contradictory letters.
Landowner consent (Reg. 39)	- Consent required - Tripartite consent (owner + RLCC + CPA).
FPIC applicability	- Queries legal basis within SA EIA vs IFC standards.
Ownership change scenarios	- How lease/benefits adjust if claim succeeds pre-construction vs during operations; - Access to graves under security controls.

Social & Economic concerns raised.

CATEGORY	CORE ISSUES RAISED
SIA scope & ratings	- Dispute of social impact ratings; - Inclusion of restitution, intergenerational effects, opportunity cost; formal benefit-sharing structure.
Access & language	- Vernacular translations, - Physical distribution, - Accessible venues/times; - Dual engagement.

Documentation & Evidence concerns raised.

CATEGORY	CORE ISSUES RAISED
CRR completeness	- Capture comments verbatim, - Dates, - Stakeholder details, and - Detailed responses.
Appendices & cross-refs	Ensure all appendices exist (J/H forms, D1/D2 maps, I EMPr, F1–F11 PPP evidence); verify links; redact personal contacts; fix typos.

COMMENTS AND RESPONSES

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
COMMENTS RECEIVED ON THE REVISED DRAFT ENVIRONMENTAL IMPACT REPORT		
05/12/2025 Via Email South African Civil Aviation Authority (SACAA)	The South African Civil Aviation Authority (SACAA) :Aviation Environmental Protection (AEP) Department has no comments regarding the proposed Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV , Makoppa Solar PV and Associated Infrastructure. However, please note that should the project include any temporary or permanent structures of height, a formal obstacle assessment may be required for the proposed development.	Thank you for your comment, it is noted. Kindly note that should the project be awarded environmental authorization, the applicant will pursue all other relevant permits for development, including the formal obstacle application request in line with the CAA Regulations.
04/12/2025 Via Email Mr Lunga Dlova - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment	**Public Participation Process**	
	(i) The final EIAr must comply with all conditions of the acceptance of the scoping report dated 23 July 2025 and comments on the draft EIAr dated 22 September 2025. Please ensure that the Department's comments are addressed in the report as well as in the comments and response table.	Details regarding compliance with the conditions of the acceptance of the scoping report are included in the table on pages 22 -26 of the Final EIR. All of the Departments comments received throughout the environmental process are captured in this comments and responses report and are attached in Appendix G1a.
	(ii) Ensure that the final EIAr includes proof that the key stakeholders received written notification of the proposed activity, and the draft EIAr. Comments made by interested and affected	To further insure inclusivity of the Public Participation Process, numerous additional consultation has taken place on a number of different platforms

[3] All responses have been provided by the EAP, Cape EAPrac with input from the project team where necessary. Where the Applicant or Specialists have provided direct responses to a comment, this is stated as such.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
DRAAILOOP SOLAR PV	parties (I&APs) (**especially those made by Chatleka Communal Property Association (CPA**)) must be comprehensively captured and responded to clearly and fully in the comments and response report.	(please refer to Section 8 of the EIR and Appendices F1 – F11 for full details of the engagement that was undertaken including: **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. We confirm receipt of the numerous objections received via email from the CPA, (some of which were copied to the Department) All issues raised by the CPA have been considered in detail and responded to in the sections below. Where necessary, additional specialist input has been obtained and the project proposal and impact management outcomes adapted accordingly in order to address the concerns raised. Proof of all written and verbal correspondence has been included in the EIR. We remain committed to ensuring that the consultation process is inclusive, responsive, and aligned with the principles of meaningful stakeholder engagement as required under NEMA and the EIA Regulations.
	General	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Where the proposed activity does not include operational aspects, please also ensure that the final EIAr includes the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised, as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	Please refer to section 2.12 of the final EIR which outlines the period for which the Environmental Authorisation is required (the same information was also included in the Draft EIR, Final EIR (as withdrawn) and Revised Draft EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	GN R 982 of 4 December 2014, as amended), Regulation 23 covers the submission and consideration of Environmental Impact Assessment reports and accompanying documentation by the competent authority. The information requirements outlined in this regulation as well as any protocol published in terms of the regulations have been complied with throughout the EIA process including the submission of the Final Environmental Impact Report. Kindly note that the timeframes in terms of regulation 23(1)(b) were extended by means of a notification in terms of this regulation. An additional public participation period was undertaken in this regard.
	Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, 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, and an EMPr, which must have been subjected to a public participation process of at least 30	Please note that a notification in terms of Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended was submitted to the competent authority prior to the lapsing of the legislated timeframe in respect of this environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	days and which reflects the incorporation of comments received, including any comments of the competent authority."	In terms of regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the applicant is required to submit the Final Environmental Impact Report within 156 Days from the acceptance of the scoping report. In terms of this regulation, a revised Draft EIR was subjected to a further comment period prior to the submission of the Final Environmental Impact report to the competent Authority for consideration and decision making.
	Should there be significant changes or new information that has been added to the EIAr's or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "*The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the reports, and an EMPr, 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 application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days*.	As outlined above, a Regulation 23(1)(b) notification was submitted to the Department. This was undertaken to address additional comments that were received on the Final Environmental Impact Report. A revised Draft Environmental Impact Report was prepared and was subjected to an additional comment period.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	In compliance with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the Final Environmental Impact Report has been submitted to the Department within the allowable timeframes.
	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 and the EAP are aware that no listed activities may commence prior to an Environmental Authorisation being granted by the Department.
03/12/2025 Via Email Ms Zamalanga Langa - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment: **BETHEL SOLAR PV**	**Listed Activities**	
	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. Also ensure to choose the correct and relevant sub listing. Additionally, note that the onus is 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.	All relevant listed activities applied for as well as the related descriptions are detailed in section 3.1.2 of the EIR. These are correct and align with the activities as included in the Revised Application Forms attached in Appendix J.
	If the activities applied for in the application form differ from those mentioned in the final SR and draft 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 RCSM Forms | Department of Forestry, Fisheries and the Environment.	The activities and project descriptions reflected in the Revised Application Form attached in Appendix J are the same as those listed and described in Section 3.1.2 of the EIR. The revised application form in Appendix J is the latest form as available on the DFFE website.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Alternatives	
	Alternatives as included in the amended draft EIAr are hereby noted. You are required to provide all the alternatives considered for this development as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014 as amended in the final EIAr. Furthermore, the preferred options for all assessed alternatives must be determined and be clear throughout the final EIA report.	The process required in terms of Appendix 2 (2) (1) (g) to determine the preferred Site, Activity and Location alternatives is outlined in Sections 2.10 and 2.11 of the EIR. The motivation for the Activity alternative (i.e. development of a facility for the generation of electricity from a renewable source) is outlined 1.2 and 2.9 of the EIR. The site selection process is outlined in section 2.10 of the EIR. The Layout (location) alternatives are presented in Section 11 of the EIR. The preferred Layout Alternative (Layout Alternative 4 – Mitigated Preferred Alternative) and Grid Connection Alternative 1 have been proposed for authorisation.
	Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2. However, note that no development will be allowed within sensitive areas, mitigation hierarchy should be considered to avoid impacts on sensitive environment.	Activity Alternatives (i.e. the generation of electricity from a renewable source) are not under investigation as part of this environmental process. Site Alternatives, Location Alternatives and Technology Alternatives were however investigated in compliance with Appendix 2. The mitigation hierarchy has been fully applied to the preferred alternative (Layout Alternative 4 – Mitigated Preferred Alternative and Grid Connection Alternative 1) and all sensitive environments and features (including relevant buffers) identified by the participating specialists as well as those highlighted by I&AP's have been avoided by all infrastructure.
	The preferred alternative must be aligned with the specialist's recommendations.	Please note that the preferred layout alternative (Layout Alternative 3) that was presented in the Draft EIR has been further reduced to avoid additional sensitive features identified as part of the public participation process. Layout Alternative 4 (Mitigated Preferred Alternative) and Grid connection Alternative 1 (Preferred Grid Connection Alternative) are fully aligned with all specialist recommendations. As confirmed in a telephonic conversation with the competent authority, this is not considered new information not previously

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>available, as it does not constitute an extension of the layout but merely additional exclusions that were previously earmarked for development.</td></tr>
<tr><td></td><td colspan="2"><u>Locality, Site Layout and Sensitivity Maps</u></td></tr>
<tr><td></td><td>The Preferred Site Layout Plan attached as Appendix D1 is hereby noted. You are reminded to include the final layout map in the final EIAr that includes the following:
The PV development area.
Preferred EGI alternative.
Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline route, etc.
All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings including accommodation, dangerous goods facility etc.
All existing infrastructure on the site, especially railway lines and roads.
Internal roads indicating width (construction period width and operation period width).
The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines, avifaunal habitat and nests etc. that will be affected by the facility and its associated infrastructure.
Buffer areas of all sensitive areas.
All “no-go” areas.
A north arrow and legend/ key, to enable the Department to interpret the layout map.</td><td>The Site Layout Plans attached in Appendix D1 include the detailed layout plans of the Preferred Alternatives, namely Site Layout Alternative 4 (Preferred Mitigated Alternative) and Grid Connection Alternative 1 (Preferred Grid Connection Alternative). The Site Layout for the PV and that for the Grid Connection Infrastructure are depicted on separate sheets in Appendix D1.

Please see below table demonstrating whether or not the content requirements listed by the CA are included in the Site Layout Plans in Appendix D1.

<table><tr><th>Content Requirement</th><th>Included in SLP Appendix D1.</th></tr><tr><td>The PV development area.</td><td>✓ - The full PV Development Area, including the position of PV Modules and the Total Fenced Area is included in the Site Layout Plan.</td></tr><tr><td>Preferred EGI alternative</td><td>✓ - The preferred EGI Corridor (Grid Connection Alternative 1) is included in the Site Layout Plan.</td></tr><tr><td>Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline route, etc.</td><td>✓ - The position of PV Fields, BESS, on-site substations and powerline routes are depicted in the Site Layout Plan</td></tr></table></td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]	
		All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings including accommodation, dangerous goods facility etc.	✓ - All supporting on site infrastructure is depicted on the Site Layout Plan.
		All existing infrastructure on the site, especially railway lines and roads.	✓ - Existing Roads and Existing Powerline Infrastructure are depicted on the Site Layout Plan. There is no railway infrastructure present on the project footprint.
		Internal roads indicating width (construction period width and operation period width).	✓ - Internal roads inclusive of their width are depicted in the site layout plan. Please note that there are not any differences between construction phase and operational phase widths.
		The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines, avifaunal habitat and nests etc. that will be affected by the facility and its associated infrastructure.	✓ - All sensitive features and areas inclusive of their buffers are indicated in the Site Layout Plan.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td></td><td></td></tr>
<tr><td>Buffer areas of all sensitive areas.</td><td>✓ - All sensitive features and areas inclusive of their buffers are indicated in the Site Layout Plan.</td></tr>
<tr><td>All “no-go” areas.</td><td>✓ - All No Go Areas are indicated in the Site Layout Plan. Please note that for the purposes of this plan, all high sensitivity features as well as all areas outside of the perimeter fence of the development are considered no go areas for the purposes of construction and operations.</td></tr>
<tr><td>A north arrow and legend/ key, to enable the Department to interpret the layout map.</td><td>✓ - A North Arrow and Legend is included in the Site Layout Plan.</td></tr>
</table>
</td></tr>
<tr><td></td><td>All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible.</td><td>All sensitive areas and features have been utilised in the finalisation of the Site Layout Plan. All highly sensitive features identified have been excluded from the development layout. These include:
- High sensitivity Avifaunal areas and buffers,
- High sensitivity Aquatic Biodiversity areas and buffers,
- High sensitivity Terrestrial Biodiversity areas and buffers,
- High sensitivity Heritage areas and buffers, and
- Visually sensitive areas and buffers.</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		None of the high or very high sensitivity features identified by the specialists have been encroached upon and all of these have been avoided by the Mitigated Preferred Layout (Layout Alternative 4). Th preferred grid connection does straddle sensitive features associated with watercourses, but all pylons will be placed outside of these areas.
	The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments.	The sensitivity map is already overlain with the site layout plan and is included in Appendix D1. Cumulative maps showing the project in relation to other renewable energy developments as well as maps showing the 4 projects making up this cluster are included in Appendix D2.
	A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV).	The map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV) is included in Appendix D2.
	Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable on the legend.	The colours and hatching used in the maps is sufficiently different to clearly distinguish between the different components of the proposed facility.
	Google maps will not be accepted for decision-making purposes.	Google Maps have been utilised in text to describe certain aspect of the proposed development. The site Layout Plans in Appendix D1 as well as Cumulative maps in appendix D2 are GIS level maps.
	Public Participation Process	
	Page 51 of the Terrestrial Biodiversity Assessment mentions that "although the project area is not located within a protected area, it is located within a conservation area – the Vhembe Biosphere Reserve (VBR)". You are reminded to seek input from DFFE's Biosphere Reserve Section (Mr Vongani Maringa- email:	The Vhembe Biosphere were provided with an opportunity to comment on the Draft Scoping Report, Draft Environmental Impact Report and Revised Draft Environmental Impact Report. Please refer to Appendices F4, F6 and F9 for evidence in this regard. At the time of submission of the Final Environmental

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	vmaringa@environment.gov.za) and the management authority of the Vhembe Biosphere Reserve (VBR) NPC - info@vhembebiosphere.org as well as Limpopo Protected Areas/Biodiversity Directorate. Their comments must be addressed, responded to and incorporated in the EIAr. Should you not receive comments from these stakeholders, proof of consultation must be submitted with the final EIAr.	Impact Report, no comment had been received from the Vhembe Biosphere Reserve. DFFE's Biosphere Reserve section was provided with an opportunity to comment on the Revised Draft Environmental Impact Report. Please refer to Appendix F9 for evidence in this regard. At the time of submission of the Final Environmental Impact Report, comment had not been received from DFFE's Biosphere Reserve section. Should either of these parties provide comment after the submission of the Final EIR for decision making, such comment will be provided to the competent authority for consideration as part of the decision making process.
	The Department notes that the notification to make use of the additional 50-day period was intended to conduct further consultation and address issues raised by Chatleka CPA. Please note that, following the receipt of the amended draft EIA Report (EIAr), the Department received objections via emails dated 20 and 25 November 2025, which were sent to the EAP and copied to the Department. You are required to address and provide a comprehensive response to the CPA on all issues raised. This must be done prior submission of final EIAr. Proof that responses were sent to the CPA, along with copies of the responses, must be attached to the EIAr to be submitted to the Department. Furthermore, the objections and corresponding responses must be included in the Comments and Response Report and incorporated into the Final EIAr.	We acknowledge the Department's note regarding the purpose of the additional 50-day period, which was to facilitate further consultation and address issues raised. To further insure inclusivity of the Public Participation Process, numerous additional consultation has taken place on a number of different platforms (please refer to section 8 of the EIR and Appendices F1 – F11 for full details of the engagement that was undertaken) including: **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. We confirm receipt of the objections submitted via emails dated 20 and 25 November 2025 (and others), which were directed to the Environmental (EAP) and copied to the Department. All issues raised by the CPA have been considered in detail and responded to in the sections below. Where necessary, additional specialist input has been obtained and the project proposal and impact management outcomes adapted accordingly in order to address the concerns raised. Proof of all written and verbal correspondence has been included in the EIR. We remain committed to ensuring that the consultation process is inclusive, responsive, and aligned with the principles of meaningful stakeholder engagement as required under NEMA and the EIA Regulations.
	Regarding the letter dated 10 June 2025 from the Office of the Land Claims Commissioner: Limpopo, the research report by the Dithakone and Chatleka Community has been gazetted by the Land Claims Commissioner. It further states that the properties in question must not be disposed of, sold, or leased without expressed permission from the Office of the Regional Land Claims Commissioner: Limpopo. You are required to submit with the final EIAr, a letter from the Office of the Regional Land Claims Commissioner: Limpopo that gives permission to continue with the planned development.	Kindly refer to Appendix G1c for a Letter from the Office of the Regional Land Claims Commissioner: Limpopo. This letter confirms that the applicant has complied with Section 11(7) of the Restitution of Land Rights Act and that the commission has no objection to the process underway. The applicant has confirmed that they will comply with all requirements in latest letter from the land claims department prior to entering into a lease or applying for rezoning/subdivision. Obtaining this permission is a separate process and is not required prior to environmental authorisation. Only if the project is awarded a positive environmental authorisation will further permits/licenses be obtained.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The letter by the applicant (Appendix G1e) regarding the advice the Office of the Regional Land Claims Commissioner: Limpopo to not engage with the claimants representatives is also noted. However, this letter does not give details of the official that Mulilo engage with and date when the telephonic conversation happened.	The applicant has confirmed that they had numerous telephonic conversations with the Land Claims Commissioner: Limpopo on numerous occasions to discuss this matter. These telephonic conversations, with Rifa Sithakha, took place on the following dates: - 25/09/26, - 25/09/25, - 25/09/09, - 25/07/30. Please note that the advice from the land claims commission was that the applicant not engage with the claimant in terms of the land claim was in the context of the Restitution of Land Rights Act and not this EIA process. It is important to note that the EAP has comprehensively engaged (and is continuing to engage) with the Claimant in terms of NEMA and the associated Regulations.
	As such, the Department submits that should the final EIAr be submitted without the formal letter from the Office of the Regional Land Claims Commissioner: Limpopo, the outcome of consultation and proof that the abovementioned affected parties were consulted, it would be considered as non-compliance with the requirements of this letter and the EIA Regulations, 2024 as amended.	Kindly refer to Appendix G1c for a Letter from the Office of the Regional Land Claims Commissioner: Limpopo. This letter confirms that the applicant has complied with Section 11(7) of the Restitution of Land Rights Act and that the commission has no objection to the process underway. Please note that this letter was included in the Final EIR (as withdrawn) as well as the Revised Draft EIR and as such, has been subjected to public participation. According to this letter, Section 11(7) of the Restitution of Land Rights Act (Act 22 of 1984), as amended provides that “once a notice has been published in respect of any land, no person may sell, exchange, donate, lease, subdivide, rezone or develop the land in question without having given the regional land claims commissioner one month’s written of his or her intention to do so. Notwithstanding the letter of no objection attached in Appendix G1c, the applicant will also likely be required to engage with the land claims commission

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		again prior to the Land Use Planning Application (i.e. Rezoning and subdivision) and before entering into a lease agreement with the landowner or undertaking any physical development on the site.
	Please ensure that all comments from the registered interested and affected parties and relevant competent authorities as well as stakeholders have been responded to, addressed and incorporated to the final EIAr. The identified stakeholders must include but are not limited to the **Vhembe Biosphere Reserve (VBR) NPC- info@vhembebiosphere.org, Department of Forestry, Fisheries and the Environment (DFFE): Biosphere Reserves Section and Biodiversity Conservation Directorates (BCAdmin@dffe.gov.za),** Makhado Local Municipality, Vhembe District Municipality, **Limpopo: Department of Economic Development, Environment and Tourism (LEDET) EIA and Biodiversity Sections**, Limpopo Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation (DWS), Wildlife and Environment Society of South Africa (WESSA), Birdlife South Africa, Vulpro, South African Civil Aviation Authority (SACAA), South African Radio Astronomy Observatory (SARAO), Square Kilometer Array (SKA), Air Traffic and Navigation Services (ATNS), Endangered Wildlife Trust (EWT), Eskom, SA National Defence Force and the relevant heritage authorities.	All comments received from I&AP's, State Departments and Organs of state are included in the EIR in appendices F5, F7, F8 and F9. All these comments have been responded to (Appendix F2) and the final EIR and project proposal updated where necessary. All parties listed b the Department in this comment were engaged and were notified of the availability of the various documents available as part of this environmental process, namely: - Vhembe Biosphere Reserve - Department of Forestry, Fisheries and the Environment (DFFE): Biosphere Reserves Section - DFFE Biodiversity Conservation Directorates, - Makhado Local Municipality, - Vhembe District Municipality, - Limpopo: Department of Economic Development, Environment and Tourism (LEDET) - Limpopo Department of Agriculture and Rural Development, - Department of Mineral Resources, - Department of Water and Sanitation (DWS), - Wildlife and Environment Society of South Africa (WESSA), - Birdlife South Africa, - Vulpro, - South African Civil Aviation Authority (SACAA), - South African Radio Astronomy Observatory (SARAO), - Square Kilometer Array (SKA), - Air Traffic and Navigation Services (ATNS),

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		- Endangered Wildlife Trust (EWT), - Eskom, - SA National Defence Force - Relevant heritage authorities (both the provincial and National Authorities). Of all these parties listed, only DFFE Biodiversity Directorate, SAHRA and Vulpro provided comment in respect of this application. Please refer to appendices F4, F6, F8 and F9 for the evidence of attempts to obtain comment.
	It has been noted that the CPA raised the following concerns: - *"The method of communications by the EAP was limited to access to electronic communication while it was indicated that "the majority of the CPA beneficiaries are illiterate, reside in rural areas and do not have access to reliable internet, emails or other form of electronic communications.* - *Communication was in English, which excluded the majority of affected community members from participation in the EIA process.* - *It was highlighted the procedure was deficient, inconsistent with the principles of fair and transparent as contemplated in the NEMA and the EIA Regulations, as amended".* - *Considering the above, the CA advise you that based on the constitution of the communities in the area, communication must consider the use of local radio stations, advertisement, site notice and participation in the local languages (as advised in the comments dated 19 September 2025) to allow meaningful participation*	Communications and reports relating to the revised Draft BAR were available both digitally and in printed form as follows: - Digital copies of the Revised Draft EIR were available on the Cape EAPrac Website, Direct Dropbox Download and direct download via QR code. - Hard Copies of the Revised Draft EIR were available at the Vleifontein Post office, Vleifontein Municipal Office, Vleifontein Community Hall (at the public Open Day) and the Vivi Bandelierkop Filling Station. - Information Pamphlets in English, Tshivenda and Tshivenda were placed at the Vleifontein Community Hall, Vleifontein Municipal offices and Police Station as well as the Viva Bandelierkop filling station. - Additional Site Notices in English and Tshivenda were placed at 6 location (5 on site and one at the Vleifontein Community Hall) - Additional adverts were placed in English and Tshivenda in the Local Press (The Limpopo Mirror). - QR Codes that can be scanned on a cell phone with direct links to the reporting was placed at the Vleifontein Community Hall.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	and approaches to community structures, committees and leaders. - *The EAP is advised to reach illiterate, disabled and any other disadvantages I&APs as per Regulation 41(2)(e).* - *The EAP is advised to show an attempt made for the consultation i.e., having meetings with the local communities or their leaders or an investigation of their existence in the area considering the challenges in relation to communication and accessibility of the reports.*	Communications relating to the Revised Draft BAR were undertaken in multiple languages, as follows: - Notifications to I&AP's were provided in English and Tshivenda - Advertisements were places in English and Tshivenda - Site Notices were placed in English and Tshivenda - Background Information Documents in English and Tshivenda were distributed to I&AP's - Non Technical Summaries in the Draft EIR were published in English, Tshivenda and Sepedi. - Brochures were produces in English, Tshivenda and Sepedi. - The EAP employed Tshivenda and Sepedi translators to assist with translation during the open day. As outlined in the various responses below and as demonstrated Section 8 and Appendices F1 – F11, the public participation far exceeded the minimum requirements outlined in the regulations. The process followed was fully compliant with the principles of fairness and transparency as contemplated in NEMA and the amended EIA Regulations. All steps were undertaken in accordance with the prescribed legislative requirements, and due process to ensure inclusivity was maintained. Please refer to paragraphs 1 and 2 above as well as section 8 and appendices F1 – F11 which outlines the extensive public participation process which was undertaken in terms of this environmental application process. These sections and appendices demonstrate that the public participation process has been inclusive and responsive to the challenges faced by some I&AP's in terms of literacy and accessibility.
	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.	The PPP was conducted in terms of all applicable Regulations. A table demonstrating how the public participation process has complied with

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended is included in section 8 of the EIR. All evidence in this regard is attached in Appendices F1 – F11.
	A Comments and Responses trail report (C&RR) must be compiled, continuously updated throughout the EIA process for this proposed development starting with the draft SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	A comments and responses report (this report) has been continually updated throughout the environmental process and the Final C&R report is appended to the Final EIR for consideration and decision making. This C&R report reflects all comments received throughout the environmental process, including: 1. Comments Received prior to the draft Scoping Report 2. Comments on the draft Scoping Report 3. Comments on the draft Environmental Impact Report 4. Comments on the final Environmental Impact Report 5. Comment on the revised Draft Environmental Impact Report 6. Comments from the public open day. This C&R report is in the format outlined by the department during their comment on the Draft Scoping Report and all comments have been captured verbatim. The actual comments received are attached in appendices F5, F7, F10 and F11.
	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 comments have been captured verbatim and a comprehensive response has been provided for each comment received.
	Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof must be submitted to the CA of the attempts that were made to obtain comments.	Proof of correspondence with various stakeholders is included in appendices F4, F6, F8 and F9. Correspondence from the Competent Authority and from the Commission on Restitution of Land Rights (Office of the Regional Land Claims Commissioner: Limpopo) re included in Appendices G1a – G1b.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30-day review and comment period.	Details of the availability of all documentation and the dates when it was available is included in section 8 of the EIR with evidence attached in appendices F1 – F11. In summary, the various documents associated with the EIA process were available as follows: - Cape EAPrac Website: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final Environmental Impact Report, Revised Draft Environmental Impact Report.. - Dropbox Direct Download: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final Environmental Impact Report, Revised Draft Environmental Impact Report. - Viva Bandelierkop Filling Station: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Post Office: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Community Hall: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi). - Vleifontein Community Hall / Police Station: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi).
	Cumulative Assessment	
	Noting that this project is part of the cluster and there may be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all	The plans showing the location of the 4 projects forming part of the cluster as well as the project in relation to other renewable energy projects within a 30km radius are attached in appendix D2.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	identified and assessed impacts must be refined to indicate the following: • The cumulative impacts assessment must consider the existing, authorised but not yet developed, the proposed similar development and powerline in the area. • 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. • A cumulative map that shows all the neighbouring PV Developments.	The Assessment of cumulative impacts is included in section 6.11 of the EIR. This section was prepared with input from the specialist reports attached in appendices E1 – E8. In many instances, the specialists who undertook assessments in terms of this environmental process were also specialists who were involved with other projects in the area. Where other specialists were involved in other EIA's in the nearby vicinity, the mitigations relating to cumulative impact as reflected in those report were carried over into the EMPr for these projects. The cumulative impacts does form part of the need and desirability of the project as outlined in section 2.9 of the EIR. This section assumes that all of the projects in the vicinity of the Tabor substation will realise, although this would be a very unlikely scenario.
	Specialists	
	The findings of the Terrestrial Biodiversity Assessment, Aquatic Biodiversity Assessment, and Avifaunal Specialist assessment are hereby noted. However, these reports must be submitted to DFFE' s Biodiversity Mainstreaming BCAdmin@dffe.gov.za, LEDET – EIA and Biodiversity Sections, Birdlife SA, Vulpro for comments. Their comments must be addressed, responded to and be incorporated in the final EIAr. You are requested to include in the CR&R on whether these studies were circulated to the abovementioned stakeholders and indicate the date as well	The Terrestrial Biodiversity Assessment, Aquatic Biodiversity Assessment, and Avifaunal Specialist assessments were provided to DFFE' s Biodiversity Mainstreaming, LEDET, Birdlife SA and Vulpro. During the various comment periods, comment was received from the DFFE mainstreaming biodiversity directorate and Vulpro. At the time of submitting the Final EIR to the Department for Decision Making, comments had not yet been received from LEDET and Birdlife SA. Should these two parties provide comment after the submission of the FEIR for decision making, such comment

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	as their responses. You are advised not to refer to the content of the specialist study or EIA report, however, provide response in the CR&R on how this was addressed.	will be submitted to the Department for consideration as part of their Decision making process.
	The Heritage Impact Assessment report must be submitted to SAHRA for comments. Their comments must be addressed, responded to and incorporated in the EIAr. You are requested to include in the CR&R on whether this study was circulated to the abovementioned stakeholders and indicate the date as well as their responses. You are advised not to refer to the content of the specialist study or EIA report, however, provide response in the CR&R on how this was addressed.	Kindly note, that the Heritage Impact Assessment was submitted to SAHRA who did provide a final comment in terms of Section 38 of the National Heritage Resources Act. Please refer to Appendix G1g for a copy of the final comment from SAHRA. However, it is important to note that the Heritage Impact Assessment (Appendix E4) was revised as a result of additional new comments that were received during the comment period on the Revised Draft Environmental Impact Report. This revised Heritage Impact Assessment has been submitted to SAHRA prior to the submission of the Final EIR to the department for consideration and decision making. Based on the submission of the Revised Heritage Impact Assessment, SAHRA will also be issuing a new comment. Once received, this comment will be submitted to the competent authority for consideration as part of their decision making process.
	You are reminded 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), are in effect. Please note that specialist assessments must be conducted in accordance with these protocols.	The following specialist assessments have been prepared in compliance 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. - Terrestrial Biodiversity Assessment (inclusive of Plant Species and Animal Species Themes). - Avifaunal Impact Assessment (Animal Species Themes). - Agricultural Compliance Statement. - Aquatic Biodiversity Impact Assessment.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The following specialist assessments were undertaken in terms of chapter 6 of the 2014 EIA regulations as amended: - Visual Impact Assessment - Social Impact Assessment - Heritage Impact Assessment - Battery Energy Storage Risk Assessment. Tables detailing compliance with either the Protocols or Chapter 6 are included in each of the specialist reports attached in Appendices E1 – E8.
	Environmental Management Programme	
	Part B: Section 2 of the generic EMPrs for the powerline and substation must be completed, and a copy of an originally signed generic EMPrs must be submitted with the EIAr. Please ensure that Point 7.1.1 in Part B: Section 2 match the details of the Applicant as contained in the amended application form and EIAr.	Part B: Section 2 of the generic EMPrs for the powerline and substation have been completed and duly signed by the applicant. Please refer to the Generic EMPr's attached as part of the Overall EMPr for the facility in Appendix I. All specific environmental sensitivities/attributes which require more specific impact management outcomes and impact management actions, have been included in Section C of the generic EMPrs.
	If any specific environmental sensitivities/attributes are present on site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage such impacts, those impact management outcomes and actions must be included in Section C of the generic EMPrs.	
	The EMPr for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.	A checklist detailing how the EMPR has complied with the requirements of Appendix 4 in the EIA Regulation, as amended is included at the beginning of the EMPR (after the cover page and table of contents) in Appendix I. Please note that a Generic EMPr for substation and powerline infrastructure is appended to the EMPr in Appendix I.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	General	
	Where the proposed activity does not include operational aspects, please also ensure that the final EIAr includes the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised, as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	Please refer to section 2.12 of the final EIR which outlines the period for which the Environmental Authorisation is required (the same information was also included in the Draft EIR, Final EIR (as withdrawn) and Revised Draft EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	GN R 982 of 4 December 2014, as amended), Regulation 23 covers the submission and consideration of Environmental Impact Assessment reports and accompanying documentation by the competent authority. The information requirements outlined in this regulation as well as any protocol published in terms of the regulations have been complied with throughout the EIA process including the submission of the Final Environmental Impact Report. Kindly note that the timeframes in terms of regulation 23(1)(b) were extended by means of a notification in terms of this regulation. An additional public participation period was undertaken in this regard.
	Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, 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	Please note that a notification in terms of Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended was submitted to the competent authority prior to the lapsing of the legislated timeframe in respect of this environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	inclusive of any specialist reports, and an EMPr, 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."	In terms of regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the applicant is required to submit the Final Environmental Impact Report within 156 Days from the acceptance of the scoping report. In terms of this regulation, a revised Draft EIR was subjected to a further comment period prior to the submission of the Final Environmental Impact report to the competent Authority for consideration and decision making.
	Should there be significant changes or new information that has been added to the EIAr's or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the reports, and an EMPr, 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 application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.	As outlined above, a Regulation 23(1)(b) notification was submitted to the Department. This was undertaken to address additional comments that were received on the Final Environmental Impact Report. A revised Draft Environmental Impact Report was prepared and was subjected to an additional comment period.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	In compliance with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the Final Environmental Impact Report has been submitted to the Department within the allowable timeframes.
	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 and the EAP are aware that no listed activities may commence prior to an Environmental Authorisation being granted by the Department.
03/12/2025 Via Email Ms Makhosazane Yeni - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **KLIPPUT SOLAR PV**	**<u>Public description and Listed Activities</u>**	
	The review of the amended draft EIAr has revealed the following in response to the comments dated 19 September 2025: • "A revised application form will be submitted with the final EIAr to reflect the updated descriptions" and activity 24 of LN1, activity 14 and 18 of LN3. It is further mentioned that a revised application form is included in Appendix J, however, there is no Appendix J. • In response to our comments regarding activity 14 of Listing Notice (LN) 1 applied for, it is mentioned that a revised application form is included in Appendix H, however, there is no application form in Appendix H". • Considering that the amended draft report should be circulated inclusive of all the relevant information or reports to allow the registered Interested and Affected Parties to provide comments as per the Regulation 43 of the EIA Regulations, 2014 as amended, the CA put forward the non-compliance with the requirements of	The revised application form was included in appendix J of the Final Environmental Impact Report (as withdrawn). The revised application form was not included in the Revised Draft EIR. Application forms are not ever included in draft reports that are available to public, as they contain information that is protected in terms of the Protection of Personal Information Act (POPIA), such as landowner and authority contact details. The revised application for will again be submitted with the Final EIR for decision making. This approach is not deemed to be non-compliant with the requirements of the Regulations nor failure to note such advice as the relevant content of the Application form (i.e. the applicable listed activities) was correctly reflected in the both the Draft EIR and Revised Draft EIR – This information was thus available for review and consideration to all I&AP's. Kindly note that activity 14 in listing notice 1 is not applicable, as the temporary storage of diesel and other chemicals during construction will not exceed the threshold of this activity.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the aforesaid Regulations and that failure to note such advice constitutes non compliance with its obligations under NEMA and the EIA Regulations.	
	You are reminded to ensure that all the dimensions/sizes of associated infrastructure (i.e. roads, pipelines, etc) as detailed in the amended draft EIAr are included in the amended application form to be submitted with the final EIAr.	The dimensions/sizes of associated infrastructure (i.e. roads, pipelines, etc) as detailed in the amended draft EIAr are included in the Revised Application Form.
	Please ensure that all relevant activities listed are applied for are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. In addition, the onus is on the applicant and the Environmental Assessment Practitioner (EAP) to ensure that all the applicable listed activities are included in the application form and the EIAr. Failure to do so may result in unnecessary delays in the processing of the application.	All relevant listed activities applied for as well as the related descriptions with thresholds are detailed in section 3.1.2 of the EIR. These are correct and align with the activities as included in the Revised Application Forms attached in Appendix J.
	If the activities applied for in the application form differ from those mentioned in the EIAr an amended application form must be submitted with the EIAr. Please note that the Department's application form template been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.	The activities and project descriptions reflected in the Revised Application Form attached in Appendix J are the same as those listed and described in Section 3.1.2 of the EIR. The revised application form in Appendix J is the latest form as available on the DFFE website.
	Alternatives	
	Alternatives as included in the amended draft EIAr are hereby noted. You are required to provide all the alternatives considered for this development as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the	The process required in terms of Appendix 2 (2) (1) (g) to determine the preferred Site, Activity and Location alternatives is outlined in Sections 2.10 and 2.11 of the EIR. The motivation for the Activity alternative (i.e. development of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	NEMA EIA Regulations, 2014 as amended in the final EIAr. Furthermore, the preferred options for all assessed alternatives must be determined and be clear throughout the final EIA report.	a facility for the generation of electricity from a renewable source) is outlined 1.2 and 2.9 of the EIR. The site selection process is outlined in section 2.10 of the EIR. The Layout (location) alternatives are presented in Section 11 of the EIR. The preferred Layout Alternative (Layout Alternative 4 – Mitigated Preferred Alternative) and Grid Connection Alternative 1 have been proposed for authorisation.
	Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2. However, note that no development will be allowed within sensitive areas, mitigation hierarchy should be considered to avoid impacts on sensitive environment.	Activity Alternatives (i.e. the generation of electricity from a renewable source) are not under investigation as part of this environmental process. Site Alternatives, Location Alternatives and Technology Alternatives were however investigated in compliance with Appendix 2. The mitigation hierarchy has been fully applied to the preferred alternative (Layout Alternative 4 – Mitigated Preferred Alternative and Grid Connection Alternative 1) and all sensitive environments and features (including relevant buffers) identified by the participating specialists as well as those highlighted by I&AP's have been avoided by all infrastructure.
	The preferred alternative must be aligned with the specialist's recommendations.	Please note that the preferred layout alternative (Layout Alternative 3) that was presented in the Draft EIR has been further reduced to avoid additional sensitive features identified as part of the public participation process. Layout Alternative 4 (Mitigated Preferred Alternative) and Grid connection Alternative 1 (Preferred Grid Connection Alternative) are fully aligned with all specialist recommendations.
	Layout and Sensitivity Maps	
	The Preferred Site Layout Plan attached as Appendix D1 is hereby noted. You are reminded to include the final layout map in the final EIAr that includes the following:	The Site Layout Plans attached in Appendix D1 include the detailed layout plans of the Preferred Alternatives, namely Site Layout Alternative 4 (Preferred Mitigated Alternative) and Grid Connection Alternative 1 (Preferred Grid

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>

The PV development area.
Preferred EGI alternative.
Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline route, etc.
All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings including accommodation, dangerous goods facility etc.
All existing infrastructure on the site, especially railway lines and roads.
Internal roads indicating width (construction period width and operation period width).
The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines, avifaunal habitat and nests etc. that will be affected by the facility and its associated infrastructure.
Buffer areas of all sensitive areas.
All “no-go” areas.
A north arrow and legend/ key, to enable the Department to interpret the layout map.

</td><td>
Connection Alternative). The Site Layout for the PV and that for the Grid Connection Infrastructure are depicted on separate sheets in Appendix D1.

Please see below table demonstrating whether or not the content requirements listed by the CA are included in the Site Layout Plans in Appendix D1.
<table>
<tr><th>Content Requirement</th><th>Included in SLP Appendix D1.</th></tr>
<tr><td>The PV development area.</td><td>✓ - The full PV Development Area, including the position of PV Modules and the Total Fenced Area is included in the Site Layout Plan.</td></tr>
<tr><td>Preferred EGI alternative</td><td>✓ - The preferred EGI Corridor (Grid Connection Alternative 1) is included in the Site Layout Plan.</td></tr>
<tr><td>Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline route, etc.</td><td>✓ - The position of PV Fields, BESS, on-site substations and powerline routes are depicted in the Site Layout Plan</td></tr>
<tr><td>All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings including accommodation, dangerous goods facility etc.</td><td>✓ - All supporting on site infrastructure is depicted on the Site Layout Plan.</td></tr>
</table>
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]	
		All existing infrastructure on the site, especially railway lines and roads.	✓ - Existing Roads and Existing Powerline Infrastructure are depicted on the Site Layout Plan. There is no railway infrastructure present on the project footprint.
		Internal roads indicating width (construction period width and operation period width).	✓ - Internal roads inclusive of their width are depicted in the site layout plan. Please note that there are not any differences between construction phase and operational phase widths.
		The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines, avifaunal habitat and nests etc. that will be affected by the facility and its associated infrastructure.	✓ - All sensitive features and areas inclusive of their buffers are indicated in the Site Layout Plan.
		Buffer areas of all sensitive areas.	✓ - All sensitive features and areas inclusive of their buffers are indicated in the Site Layout Plan.
		All “no-go” areas.	✓ - All No Go Areas are indicated in the Site Layout Plan. Please note that for the purposes of this plan, all high sensitivity features as well as all areas

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]	
			outside of the perimeter fence of the development are considered no go areas for the purposes of construction and operations.
		A north arrow and legend/ key, to enable the Department to interpret the layout map.	✓ - A North Arrow and Legend is included in the Site Layout Plan.
	All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible.	All sensitive areas and features have been utilised in the finalisation of the Site Layout Plan. All highly sensitive features identified have been excluded from the development layout. These include: - High sensitivity Avifaunal areas and buffers, - High sensitivity Aquatic Biodiversity areas and buffers, - High sensitivity Terrestrial Biodiversity areas and buffers, - High sensitivity Heritage areas and buffers, and - Visually sensitive areas and buffers.	
	The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments.	The sensitivity map is already overlain with the site layout plan and is included in Appendix D1. Cumulative maps showing the project in relation to other renewable energy developments as well as maps showing the 4 projects making up this cluster are included in Appendix D2.	
	A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV).	The map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV) is included in Appendix D2.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable on the legend.	The colours and hatching used in the maps is sufficiently different to clearly distinguish between the different components of the proposed facility.
	Public Participation Process (PPP)	
	Page 53 of the Terrestrial Biodiversity Assessment mentions that "***although the project area is not located within a protected area, it is located within a conservation area – the Vhembe Biosphere Reserve (VBR)***". You are reminded to seek input from DFFE's Protected Areas Section and Vhembe Biosphere Reserve (VBR) NPC - info@vhembebiosphere.org as well as Limpopo Protected Areas/Biodiversity Directorate. Their comments must be addressed, responded to and incorporated in the EIAr. **Should it be that Section 50(5) in terms of NEM: PAA is required, you are advised to obtain such and include it in the final EIAr.**	The Vhembe Biosphere were provided with an opportunity to comment on the Draft Scoping Report, Draft Environmental Impact Report and Revised Draft Environmental Impact Report. Please refer to Appendices F4, F6 and F9 for evidence in this regard. At the time of submission of the Final Environmental Impact Report, no comment had been received from the Vhembe Biosphere Reserve. DFFE's Biosphere Reserve section was provided with an opportunity to comment on the Revised Draft Environmental Impact Report. Please refer to Appendix F9 for evidence in this regard. At the time of submission of the Final Environmental Impact Report, comment had not been received from DFFE's Biosphere Reserve section. Should either of these parties provide comment after the submission of the Final EIR for decision making, such comment will be provided to the competent authority for consideration as part of the decision making process. The project is not within a protected area and as such, a consent in terms of Section 50(5) of NEM: PAA is not required.
	The response to our comments regarding "the issue raised on 06 May 2025 by Motz Ntimo regarding land claims affecting multiple farms identified, including Portion 1 of Farm 425, Remainder of Farm 466, and Portion 1 of Farm 466" that needed to be addressed, is hereby noted. However, the objections in the form	To further insure inclusivity of the Public Participation Process, numerous additional consultation has taken place on a number of different platforms (please refer to section 8 of the EIR and Appendices F1 – F11 for full details of the engagement that was undertaken including:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	of emails dated 20 and 25 November 2025 where the Department was copied must be addressed, responded to and incorporated into the final EIAr.	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. We confirm receipt of the objections submitted via emails dated 20 and 25 November 2025 (and others), which were directed to the Environmental (EAP) and copied to the Department. All issues raised by the CPA have been considered in detail and responded to in the sections below. Where necessary, additional specialist input has been obtained and the proposal and impact management outcomes adapted accordingly in order to address the concerns raised. Proof of all written and verbal correspondence has been included in the EIR. We remain committed to ensuring that the consultation process is inclusive, responsive, and aligned with the principles of meaningful stakeholder engagement as required under NEMA and the EIA Regulations.
	Regarding the letter dated 10 June 2025 from the Office of the Land Claims Commissioner: Limpopo, the research report by the Dithakone and Chatleka Community has been gazetted by the	Kindly refer to Appendix G1c for a Letter from the Office of the Regional Land Claims Commissioner: Limpopo. This letter confirms that the applicant has

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Land Claims Commissioner. It further states that the properties in question must not be disposed of, sold, or leased without expressed permission from the Office of the Regional Land Claims Commissioner: Limpopo. You are required to submit with the final EIAr, a letter from the Office of the Regional Land Claims Commissioner: Limpopo that gives permission to continue with the planned development.	complied with Section 11(7) of the Restitution of Land Rights Act and that the commission has no objection to the process underway. Please note that this letter was included in the Final EIR (as withdrawn) as well as the Revised Draft EIR and as such, has been subjected to public participation. According to this letter, Section 11(7) of the Restitution of Land Rights Act (Act 22 of 1984), as amended provides that "once a notice has been published in respect of any land, no person may sell, exchange, donate, lease, subdivide, rezone or develop the land in question without having given the regional land claims commissioner one month's written of his or her intention to do so. Notwithstanding the letter of no objection attached in Appendix G1c, the applicant will also engage with the land claims commission again prior to the Land Use Planning Application (i.e. Rezoning and subdivision) and before entering into a lease agreement with the landowner or undertaking any physical development on the site.
	The letter by the applicant (Appendix G1e) regarding the advice the Office of the Regional Land Claims Commissioner: Limpopo to not engage with the claimants representatives is also noted. However, this letter does not give details of the official and date when the telephonic conversation happened.	The applicant has confirmed that they had numerous telephonic conversations with the Land Claims Commissioner: Limpopo on numerous occasions to discuss this matter. These telephonic conversations took place on the following dates: - 25/09/26, - 25/09/25, - 25/09/09, - 25/07/30. Please note that the advice from the land claims commission was that the applicant not engage with the claimant in terms of the land claim was in the context of the Restitution of Land Rights Act and not this EIA process. It is

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		important to note that the EAP has comprehensively engaged (and is continuing to engage) with the Claimant in terms of NEMA and the associated Regulations.
	As such, the Department submits that should the final EIAr be submitted without the formal letter from the Office of the Regional Land Claims Commissioner: Limpopo, the outcome of consultation and proof that the abovementioned affected parties were consulted, it would be considered as non-compliance with the requirements of this letter and the EIA Regulations, 2024 as amended.	Kindly refer to Appendix G1c for a Letter from the Office of the Regional Land Claims Commissioner: Limpopo. This letter confirms that the applicant has complied with Section 11(7) of the Restitution of Land Rights Act and that the commission has no objection to the process underway. Please note that this letter was included in the Final EIR (as withdrawn) as well as the Revised Draft EIR and as such, has been subjected to public participation. According to this letter, Section 11(7) of the Restitution of Land Rights Act (Act 22 of 1984), as amended provides that "once a notice has been published in respect of any land, no person may sell, exchange, donate, lease, subdivide, rezone or develop the land in question without having given the regional land claims commissioner one month's written of his or her intention to do so. Notwithstanding the letter of no objection attached in Appendix G1c, the applicant will also likely be required to engage with the land claims commission again prior to the Land Use Planning Application (i.e. Rezoning and subdivision) and before entering into a lease agreement with the landowner or undertaking any physical development on the site.
	Please ensure that all comments from the registered interested and affected parties and relevant competent authorities as well as stakeholders have been responded to, addressed and incorporated to the final EIAr. The identified stakeholders must include but are not limited to the **Vhembe Biosphere Reserve (VBR) NPC- info@vhembebiosphere.org, Department of Forestry, Fisheries and the Environment (DFFE): Protected Areas Planning and Management Effectiveness and**	All comments received from I&AP's, State Departments and Organs of state are included in the EIR in appendices F5, F7, F8 and F9. All these comments have been responded to (Appendix F2) and the final EIR and project proposal updated where necessary. All parties listed b the Department in this comment were engaged and were notified of the availability of the various documents available as part of this environmental process, namely:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Biodiversity Conservation Directorates (BCAdmin@dffe.gov.za), Makhado Local Municipality, Vhembe District Municipality, **Limpopo: Department of Economic Development, Environment and Tourism (LEDET) EIA and Biodiversity Sections**, Limpopo Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation (DWS), Wildlife and Environment Society of South Africa (WESSA), Birdlife South Africa, Vulpro, South African Civil Aviation Authority (SACAA), South African Radio Astronomy Observatory (SARAO), Square Kilometer Array (SKA), Air Traffic and Navigation Services (ATNS), Endangered Wildlife Trust (EWT), Eskom, SA National Defence Force and the relevant heritage authorities.	- Vhembe Biosphere Reserve - Department of Forestry, Fisheries and the Environment (DFFE): Biosphere Reserves Section - DFFE Biodiversity Conservation Directorates, - Makhado Local Municipality, - Vhembe District Municipality, - Limpopo: Department of Economic Development, Environment and Tourism (LEDET) - Limpopo Department of Agriculture and Rural Development, - Department of Mineral Resources, - Department of Water and Sanitation (DWS), - Wildlife and Environment Society of South Africa (WESSA), - Birdlife South Africa, - Vulpro, - South African Civil Aviation Authority (SACAA), - South African Radio Astronomy Observatory (SARAO), - Square Kilometer Array (SKA), - Air Traffic and Navigation Services (ATNS), - Endangered Wildlife Trust (EWT), - Eskom, - SA National Defence Force - Relevant heritage authorities (both the provincial and National Authorities). Of all these parties listed, only DFFE Biodiversity Directorate, SAHRA and Vulpro provided comment in respect of this application. Please refer to appendices F4, F6, F8 and F9 for the evidence of attempts to obtain comment.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	It has been noted that the CPA raised the following concerns: • "The method of communications by the EAP was limited to access to electronic communication while it was indicated that "the majority of the CPA beneficiaries are illiterate, reside in rural areas and do not have access to reliable internet, emails or other form of electronic communications. • Communication was in English, which excluded the majority of affected community members from participation in the EIA process. • It was highlighted the procedure was deficient, inconsistent with the principles of fair and transparent as contemplated in the NEMA and the EIA Regulations, as amended". • Considering the above, the CA advise you that based on the constitution of the communities in the area, communication must consider the use of local radio stations, advertisement, site notice and participation in the local languages (as advised in the comments dated 19 September 2025) to allow meaningful participation and approaches to community structures, committees and leaders. • The EAP is advised to reach illiterate, disabled and any other disadvantages I&APs as per Regulation 41(2)(e). • The EAP is advised to show an attempt made for the consultation i.e., having meetings with the local communities or their leaders or an investigation of their existence in the area considering the challenges in	Communications and reports relating to the revised Draft BAR were available both digitally and in printed form as follows: - Digital copies of the Revised Draft EIR were available on the Cape EAPrac Website, Direct Dropbox Download and direct download via QR code. - Hard Copies of the Revised Draft EIR were available at the Vleifontein Post office, Vleifontein Municipal Office, Vleifontein Community Hall (at the public Open Day) and the Vivi Bandelierkop Filling Station. - Information Pamphlets in English, Tshivenda and Tshivenda were placed at the Vleifontein Community Hall, Vleifontein Municipal offices and Police Station as well as the Viva Bandelierkop filling station. - Additional Site Notices in English and Tshivenda were placed at 6 location (5 on site and one at the Vleifontein Community Hall) - Additional adverts were placed in English and Tshivenda in the Local Press (The Limpopo Mirror). - QR Codes that can be scanned on a cell phone with direct links to the reporting was placed at the Vleifontein Community Hall. Communications relating to the Revised Draft BAR were undertaken in multiple languages, as follows: - Notifications to I&AP's were provided in English and Tshivenda - Advertisements were places in English and Tshivenda - Site Notices were placed in English and Tshivenda - Background Information Documents in English and Tshivenda were distributed to I&AP's - Non Technical Summaries in the Draft EIR were published in English, Tshivenda and Sepedi. - Brochures were produces in English, Tshivenda and Sepedi.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	relation to communication and accessibility of the reports.	- The EAP employed Tshivenda and Sepedi translators to assist with translation during the open day. As outlined in the various responses below and as demonstrated Section 8 and Appendices F1 – F11, the public participation far exceeded the minimum requirements outlined in the regulations. The process followed was fully compliant with the principles of fairness and transparency as contemplated in NEMA and the amended EIA Regulations. All steps were undertaken in accordance with the prescribed legislative requirements, and due process to ensure inclusivity was maintained. Please refer to paragraph 1 and 2 above as well as section 8 and appendices F1 – F11 which outlines the extensive public participation process which was undertaken in terms of this environmental application process. These sections and appendices demonstrate that the public participation process has been inclusive and responsive to the challenges faced by some I&AP's in terms of literacy and accessibility.
	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.	A table demonstrating how the public participation process has complied with Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended is included in section 8 of the EIR. All evidence in this regard is attached in Appendices F1 – F11.
	A Comments and Responses trail report (C&RR) must be compiled, continuously updated throughout the EIA process for this proposed development starting with the draft SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	A comments and responses report (this report) has been continually updated throughout the environmental process and the Final C&R report is appended to the Final EIR for consideration and decision making. This C&R report reflects all comments received throughout the environmental process, including: 1. Comments Received prior to the draft Scoping Report 2. Comments on the draft Scoping Report

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Comments on the draft Environmental Impact Report 4. Comments on the final Environmental Impact Report 5. Comment on the revised Draft Environmental Impact Report 6. Comments from the public open day. This C&R report is in the format outlined by the department during their comment on the Draft Scoping Report and all comments have been captured verbatim. The actual comments received are attached in appendices F5, F7, F10 and F11.
	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 comments have been captured verbatim and a comprehensive response has been provided for each comment received.
	Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof must be submitted to the CA of the attempts that were made to obtain comments.	Proof of correspondence with various stakeholders is included in appendices F4, F6, F8 and F9. Correspondence from the Competent Authority and from the Commission on Restitution of Land Rights (Office of the Regional Land Claims Commissioner: Limpopo) re included in Appendices G1a – G1b.
	Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30 day review and comment period.	Details of the availability of all documentation and the dates when it was available is included in section 8 of the EIR with evidence attached in appendices F1 – F11. In summary, the various documents associated with the EIA process were available as follows: - Cape EAPrac Website: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final Environmental Impact Report, Revised Draft Environmental Impact Report.. - Dropbox Direct Download: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Environmental Impact Report, Revised Draft Environmental Impact Report. - Viva Bandelierkop Filling Station: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Post Office: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Community Hall: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi). - Vleifontein Community Hall / Police Station: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi).
	Specialist Assessments	
	The findings of the Terrestrial Biodiversity Assessment, Aquatic Biodiversity Assessment, and Avifaunal Specialist assessment are hereby noted. However, these reports must be submitted to DFFE' s Biodiversity Mainstreaming-BCAdmin@dffe.gov.za, LEDET – EIA and Biodiversity Sections, Birdlife SA, Vulpro for comments. Their comments must be addressed, responded to and be incorporated in the final EIAr. **You are requested to include in the CR&R on whether these studies were circulated to the abovementioned stakeholders and indicate the date as well as their responses. You are advised not to refer to the content of the specialist study or EIA report, however, provide response in the CR&R on how this was addressed.**	The Terrestrial Biodiversity Assessment, Aquatic Biodiversity Assessment, and Avifaunal Specialist assessments were provided to DFFE' s Biodiversity Mainstreaming, LEDET, Birdlife SA and Vulpro. During the various comment periods, comment was received from the DFFE mainstreaming biodiversity directorate and Vulpro. At the time of submitting the Final EIR to the Department for Decision Making, comments had not yet been received from LEDET and Birdlife SA. Should these two parties provide comment after the submission of the FEIR for decision making, such comment will be submitted to the Department for consideration as part of their Decision making process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The Heritage Impact Assessment report must be submitted to SAHRA for comments. Their comments must be addressed, responded to and incorporated in the EIAr. **You are requested to include in the CR&R on whether this study was circulated to the abovementioned stakeholders and indicate the date as well as their responses. You are advised not to refer to the content of the specialist study or EIA report, however, provide response in the CR&R on how this was addressed.**	Kindly note, that the Heritage Impact Assessment was submitted to SAHRA, on the 13th of August 2025, who did provide a final comment in terms of Section 38 of the National Heritage Resources Act. Please refer to Appendix G1g for a copy of the final comment from SAHRA received on the 17th October 2025. However, it is important to note that the Heritage Impact Assessment (Appendix E4) was revised as a result of additional new comments that were received during the comment period on the Revised Draft Environmental Impact Report. This revised Heritage Impact Assessment has been submitted to SAHRA to the department for consideration and decision making. Based on the submission of the Revised Heritage Impact Assessment, SAHRA will also be issuing a new comment. Once received, this comment will be submitted to the competent authority for consideration as part of their decision making process.
	You are reminded 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), are in effect. Please note that specialist assessments must be conducted in accordance with these protocols.	The following specialist assessments have been prepared in compliance 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. - Terrestrial Biodiversity Assessment (inclusive of Plant Species and Animal Species Themes). - Avifaunal Impact Assessment (Animal Species Themes). - Agricultural Compliance Statement. - Aquatic Biodiversity Impact Assessment. The following specialist assessments were undertaken in terms of chapter 6 of the 2014 EIA regulations as amended: - Visual Impact Assessment - Social Impact Assessment - Heritage Impact Assessment

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		- Battery Energy Storage Risk Assessment. Tables detailing compliance with either the Protocols or Chapter 6 are included in each of the specialist reports attached in Appendices E1 – E8.
	Environmental Management Programme	
	Part B: Section 2 of the generic EMPrs for the powerline and substation must be completed, and a copy of an originally signed generic EMPrs must be submitted with the EIAr. Please ensure that Point 7.1.1 in Part B: Section 2 match the details of the Applicant as contained in the amended application form and EIAr.	Part B: Section 2 of the generic EMPrs for the powerline and substation have been completed and duly signed by the applicant. Please refer to the Generic EMPr's attached as part of the Overall EMPr for the facility in Appendix I. All specific environmental sensitivities/attributes which require more specific impact management outcomes and impact management actions, have been included in Section C of the generic EMPrs.
	If any specific environmental sensitivities/attributes are present on site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage such impacts, those impact management outcomes and actions must be included in Section C of the generic EMPrs.	
	The EMPr for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.	A checklist detailing how the EMPR has complied with the requirements of Appendix 4 in the EIA Regulation, as amended is included at the beginning of the EMPR (after the cover page and table of contents) in Appendix I. Please note that a Generic EMPr for substation and powerline infrastructure is appended to the EMPr in Appendix I.
	Cumulative Assessment	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Noting that this project is part of the cluster and there may 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: • The cumulative impacts assessment must consider the existing, authorised but not yet developed, the proposed similar development and powerline in the area. • 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.	The plans showing the location of the 4 projects forming part of the cluster as well as the project in relation to other renewable energy projects within a 30km radius are attached in appendix D2. The Assessment of cumulative impacts is included in section 6.11 of the EIR. This section was prepared with input from the specialist reports attached in appendices E1 – E8. In many instances, the specialists who undertook assessments in terms of this environmental process were also specialists who were involved with other projects in the area. Where other specialists were involved in other EIA's in the nearby vicinity, the mitigations relating to cumulative impact as reflected in those report were carried over into the EMPr for these projects. The cumulative impacts does form part of the need and desirability of the project as outlined in section 2.9 of the EIR. This section assumes that all of the projects in the vicinity of the Tabor substation will realise, although this would be a very unlikely scenario.
	General	
	Where the proposed activity does not include operational aspects, please ensure that the final EIAr includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring requirements finalised, as per Appendix 3(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended.	Please refer to section 2.12 of the final EIR which outlines the period for which the Environmental Authorisation is required (the same information was also included in the Draft EIR, Final EIR (as withdrawn) and Revised Draft EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	GN R 982 of 4 December 2014, as amended), Regulation 23 covers the submission and consideration of Environmental Impact Assessment reports and accompanying documentation by the competent authority. The information requirements outlined in this regulation as well as any protocol published in terms of the regulations have been complied with throughout the EIA process including the submission of the Final Environmental Impact Report. Kindly note that the timeframes in terms of regulation 23(1)(b) were extended by means of a notification in terms of this regulation. An additional public participation period was undertaken in this regard.
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	Please note that a notification in terms of Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended was submitted to the competent authority prior to the lapsing of the legislated timeframe in respect of this environmental process. In terms of regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the applicant is required to submit the Final Environmental Impact Report within 156 Days from the acceptance of the scoping report. In terms of this regulation, a revised Draft EIR was subjected to a further comment period prior to the submission of the Final Environmental Impact report to the competent Authority for consideration and decision making. The Final Environmental Impact Report will be submitted to the Competent Authority within the timeframes allowable in terms of this Regulation.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	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 and the EAP are aware that no listed activities may commence prior to an Environmental Authorisation being granted by the Department.
03/12/2025 Via Email Ms Thulisile Nyalunga - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **MAKOPPA SOLAR PV**	**<u>Amended Draft EIAr</u>**	
	(i) The Department received multiple objections to the revised DEIAr. The Chatleka CPAs expressed concerns about the Heritage Impact Assessment, Agricultural Compliance Statement, Public Participation Process, failure to Recognize Land Claim Rights, Social Impact Assessment (SIA), and Visual Impact Assessment for your application. You are hereby requested to review all concerns submitted by the Chatleka CPAs and provide a comprehensive written response to each issue raised. The final EIAr must clearly demonstrate how each objection or concern has been addressed. Your responses may be supported by any relevant information, evidence, or documentation. Please ensure that all the issues that were raised in this Department's comments on the draft EIAr dated 19 September 2025, are adequately addressed.	Communications and reports relating to the revised Draft BAR were available both digitally and in printed form as follows: - Digital copies of the Revised Draft EIR were available on the Cape EAPrac Website, Direct Dropbox Download and direct download via QR code. - Hard Copies of the Revised Draft EIR were available at the Vleifontein Post office, Vleifontein Municipal Office, Vleifontein Community Hall (at the public Open Day) and the Vivi Bandelierkop Filling Station. - Information Pamphlets in English, Tshivenda and Tshivenda were placed at the Vleifontein Community Hall, Vleifontein Municipal offices and Police Station as well as the Viva Bandelierkop filling station. - Additional Site Notices in English and Tshivenda were placed at 6 location (5 on site and one at the Vleifontein Community Hall) - Additional adverts were placed in English and Tshivenda in the Local Press (The Limpopo Mirror). - QR Codes that can be scanned on a cell phone with direct links to the reporting was placed at the Vleifontein Community Hall. Communications relating to the Revised Draft BAR were undertaken in multiple languages, as follows: - Notifications to I&AP's were provided in English and Tshivenda

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		- Advertisements were places in English and Tshivenda - Site Notices were placed in English and Tshivenda - Background Information Documents in English and Tshivenda were distributed to I&AP's - Non Technical Summaries in the Draft EIR were published in English, Tshivenda and Sepedi. - Brochures were produces in English, Tshivenda and Sepedi. - The EAP employed Tshivenda and Sepedi translators to assist with translation during the open day. As outlined in the various responses below and as demonstrated Section 8 and Appendices F1 – F11, the public participation far exceeded the minimum requirements outlined in the regulations. The process followed was fully compliant with the principles of fairness and transparency as contemplated in NEMA and the amended EIA Regulations. All steps were undertaken in accordance with the prescribed legislative requirements, and due process to ensure inclusivity was maintained. Please refer to paragraphs 1 and 2 above as well as section 8 and appendices F1 – F11 which outlines the extensive public participation process which was undertaken in terms of this environmental application process. These sections and appendices demonstrate that the public participation process has been inclusive and responsive to the challenges faced by some I&AP's in terms of literacy and accessibility.
	Public Participation Process	
	(i) Please ensure that every concern raised during the public participation process is adequately addressed.	All concerns raised during the circulation of the Revised Draft Environmental Impact Report have been addressed and responded to in detail. Where necessary, the project description and layout plan has been revised to accommodate relevant concerns raised during the comment period. All

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		responses have been captured in this comments and responses report which has been submitted to all parties who provided comment on the Final EIR or Revised Draft EIR).
	(ii) The public participation process must be conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.	A table demonstrating how the public participation process has complied with Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended is included in section 8 of the EIR. All evidence in this regard is attached in Appendices F1 – F11.
	(iii) A Comments and Responses trail report (C&RR) must be compiled and continuously updated throughout the EIA process for this proposed development starting with the draft SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	A comments and responses report (this report) has been continually updated throughout the environmental process and the Final C&R report is appended to the Final EIR for consideration and decision making. This C&R report reflects all comments received throughout the environmental process, including: 1. Comments Received prior to the draft Scoping Report 2. Comments on the draft Scoping Report 3. Comments on the draft Environmental Impact Report 4. Comments on the final Environmental Impact Report 5. Comment on the revised Draft Environmental Impact Report 6. Comments from the public open day. This C&R report is in the format outlined by the department during their comment on the Draft Scoping Report and all comments have been captured verbatim. The actual comments received are attached in appendices F5, F7, F10 and F11.
	(iv) Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof must be submitted to the CA of the attempts that were made to obtain comments.	Proof of correspondence with various stakeholders is included in appendices F4, F6, F8 and F9. Correspondence from the Competent Authority and from the Commission on Restitution of Land Rights (Office of the Regional Land Claims Commissioner: Limpopo) re included in Appendices G1a – G1b.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	(v) The final EIAr must comply with all conditions of the acceptance of the scoping report dated 21 July 2025. Please ensure that the Department's comments are addressed in the report as well as in the comments and response table.	Details of the availability of all documentation and the dates when it was available is included in section 8 of the EIR with evidence attached in appendices F1 – F11. In summary, the various documents associated with the EIA process were available as follows: - Cape EAPrac Website: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final Environmental Impact Report, Revised Draft Environmental Impact Report.. - Dropbox Direct Download: Digital Copies of Draft Scoping Report, Final Scoping Report, Draft Environmental Impact Report, Final Environmental Impact Report, Revised Draft Environmental Impact Report. - Viva Bandelierkop Filling Station: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Post Office: Physical Card Copies of Revised Draft Environmental Impact Report. - Vleifontein Community Hall: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi). - Vleifontein Community Hall / Police Station: Physical Card Copies of Revised Draft Environmental Impact Report, Physical Copies of Project Information Brochures (in English, Tshivenda and Sepedi).
	(vi) Please ensure that the final EIAr includes proof that the key stakeholders received written notification of the proposed activity, and the draft EIAr. Comments made by interested and affected parties (I&APs) must be comprehensively captured and	Proof of all notifications are included in the following Appendices: - Appendix F4: Draft Scoping Report Notifications - Appendix F6: Draft EIR Notifications - Appendix F8: Final EIR Notifications and Comments - Appendix F9 : Revised Draft EIR Notifications

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	responded to clearly and fully in the comments and response report.	All comments received during these comment periods have been captures and responded to in this Comments and Responses Report.
	General	
	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 NEMA EIA Regulations, 2014, as amended.	Please refer to section 2.12 of the final EIR which outlines the period for which the Environmental Authorisation is required (the same information was also included in the Draft EIR, Final EIR (as withdrawn) and Revised Draft EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "The applicant must within 106 days of the acceptance of the scoping report, or, where regulation 21(2) applies, within 106 days of the date of receipt of the application by the competent authority, 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	GN R 982 of 4 December 2014, as amended), Regulation 23 covers the submission and consideration of Environmental Impact Assessment reports and accompanying documentation by the competent authority. The information requirements outlined in this regulation as well as any protocol published in terms of the regulations have been complied with throughout the EIA process including the submission of the Final Environmental Impact Report. Kindly note that the timeframes in terms of regulation 23(1)(b) were extended by means of a notification in terms of this regulation. An additional public participation period was undertaken in this regard.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the incorporation of comments received, including any comments of the competent authority".	
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	Please note that a notification in terms of Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended was submitted to the competent authority prior to the lapsing of the legislated timeframe in respect of this environmental process. In terms of regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, the applicant is required to submit the Final Environmental Impact Report within 156 Days from the acceptance of the scoping report. In terms of this regulation, a revised Draft EIR was subjected to a further comment period prior to the submission of the Final Environmental Impact report to the competent Authority for consideration and decision making. The Final Environmental Impact Report will be submitted to the Competent Authority within the timeframes allowable in terms of this Regulation.
	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 and the EAP are aware that no listed activities may commence prior to an Environmental Authorisation being granted by the Department.
03/12/2025 Via Email Mr Seoka Lekota Directorate: Biodiversity Conservation Department of Forestry, Fisheries and the Environment	The Directorate: Biodiversity Conservation has reviewed and evaluated the report. The ecological assessment found that the proposed SEF is located within an area of medium to low ecological sensitivity, affecting the Makhado Sweet Bushveld (classified as Least Concern). In accordance with the Limpopo Conservation Plan, the POAI is situated within an area which is classified as Other Natural Area	The Departments understanding of the sensitivity and protection status of the site is confirmed to be correct. All highly sensitive features have been avoided by the preferred layout alternative, Layout Alternative 4 (Mitigated Preferred Alternative).

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
BETHEL SOLAR PV	and falling outside of formally protected areas and Critical Biodiversity Areas. No sensitive ecological features requiring major design changes were identified. Consequently, all activities must maintain ecological integrity, biodiversity value, and ecosystem services to avoid impact on extremely sensitive areas altogether.	
	The POAI hosts potential habitat for alien invasive species such as *Cylindropuntia imbricata* (Tree Cholla.) This is a category 1b species as per the National Environmental Management: Biodiversity Act 2004 (No 10 of 2004) (NEM:BA) regulations. Alien invasive plants can increase the flammability of an area, creating a fire hazard for solar facilities. Develop a formal Invasive Alien Plant Management Program to monitor and clear new invasive plants and to prevent further spread of this species within and beyond the site.	The Environmental Management Programme makes provision for an Alien Invasive Vegetation Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Alien Invasive Vegetation Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 7 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	Vultures were observed several times during both field surveys, as well as VulPro indicating that vultures have been observed roosting in the nearby facility of the project area on powerline infrastructure. These factors indicate that there is a risk of electrocutions and collisions to the vultures. As such, some appropriate mitigation measures are required. Construction of solar farms (both photovoltaic (PV) and concentrated solar power (CSP)) required clearing large areas of vegetation, destroying essential foraging, roosting, and nesting grounds. This can displace vultures from their natural habitats and disrupt their established flight paths.	Risks to avifauna (including vultures) have been thoroughly assessed and considered by the avifaunal specialist study, which was conducted in compliance with the Best Practice Guidelines for Birds and Solar Energy. Avifaunal Management (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The final EIA report must therefore fully comply with the requirements of the Best Practice Guidelines for Birds and Solar Energy for the assessment and monitoring of avian impacts associated with solar energy developments in Southern Africa as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015).	
	The Directorate supports the preferred site alternative 3[4], which avoids water courses and minimises new disturbance, avoids critical habitats, and aligns with biodiversity conservation objectives. In addition, the following conditions must be incorporated into the final report to ensure no further loss to biodiversity:	
	• Activities must be restricted to already transformed or disturbed areas to limit further habitat loss.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Vegetation clearing must be minimised, and topsoil should be stripped, stored, and reused during site rehabilitation.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Clearly demarcate no-go areas on site before construction begins, especially around natural features such as drainage lines and any habitat supporting SCCs.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A pre-construction faunal walkdown should be conducted by a qualified zoologist to confirm SCC	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

[4] Kindly note that the footprint site alternative 3 has been further reduced to avoid additional heritage features that were identified during the Revised Draft EIR comment period and additional heritage assessment that took place on site. Site Alternative 4 (Preferred Mitigated Alternative) was prepared and has been identified as the preferred alternative.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	presence and recommend appropriate relocation or avoidance measures.	
	• A site rehabilitation plan must be included in the EMPr, detailing post-construction restoration of disturbed areas using indigenous and locally occurring plant species.	Rehabilitation and Habitat Restoration is included under Section 5.20 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Appropriate stormwater management measures must be implemented to prevent erosion, siltation, and sediment runoff into any watercourse.	The Environmental Management Programme makes provision for a Stormwater Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Stormwater Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 11 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A minimum 32-metre buffer must be maintained from the edge of all wetland features, unless otherwise approved through a Water Use Authorisation process.	A 32m aquatic buffer has been delineated and incorporated in the Site Layout Plan (Preferred Alternative). Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Avoid placing facilities in high-sensitivity areas for avifauna SCC i.e., vultures, such as within 50km of known colonies or major roosting sites.	All high-sensitivity Avifauna features were delineated and incorporated in the Site Layout Plan (Preferred Alternative) as No-Go areas. Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Appropriate avifauna mitigation measures be implemented, including the incorporation of bird-friendly infrastructure designs, installation of line diverters and anti-perch devices.	Avifaunal Management and mitigation measures (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I. Bird friendly designs will be used, and bird-flight diverters (BFD) installed accordingly on over head power lines.
	• In addition, a post-construction monitoring program should be developed and implemented for at least the first two years of operation to assess vulture and other Species of Conservation Concern (SCC) interactions with project infrastructure, identify emerging risks, and adapt mitigation measures accordingly.	A post construction Avifaunal Monitoring Programme is included in section 15.1.6 of the Final EMPr attached in Appendix I of the Final EIR.
	Noting, the site overlaps with the Vhembe Biosphere Reserve, please obtain comments from the DFFE Directorate: Multilateral Program (PAMP): Mr Vongani Maringa vmaringa@dffe.gov.za.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Vongani Maringa of the DFFE Directorate: Multilateral Program (PAMP) for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
	In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Seoka Lekota of the DFFE Directorate: Biodiversity Conservation for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
03/12/2025 Via Email	The Directorate: Biodiversity Conservation has reviewed and assessed the submitted report. The ecological assessment indicates that the proposed SEF is situated within an area of	The Departments understanding of the sensitivity and protection status of the site is confirmed to be correct. All highly sensitive features have been avoided

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr Seoka Lekota Directorate: Biodiversity Conservation Department of Forestry, Fisheries and the Environment **DRAAILOOP SOLAR PV**	medium to low ecological sensitivity, occurring within the Makhado Sweet Bushveld, which is classified as Least Concern. The overall sensitivity for this vegetation type was determined to be of medium sensitivity according to the screening tool report. In Accordance with the Limpopo Conservation Plan the site lies outside formally Protected Areas and Critical Biodiversity Areas (CBAs), with only a small portion intersecting an Ecological Support Area (ESA 1). No sensitive ecological features were identified that would necessitate significant alterations to the project design the POAI is situated within an area which is classified as Other Natural Area (ONA). All activities must maintain ecological integrity, biodiversity value, and ecosystem services to avoid impact on extremely sensitive areas altogether.	by the preferred layout alternative, Layout Alternative 4 (Mitigated Preferred Alternative).
	The POAI hosts potential habitat for alien invasive species such as *Cylindropuntia imbricata* (Tree Cholla.) This is a category 1b species as per the National Environmental Management: Biodiversity Act 2004 (No 10 of 2004) (NEM:BA) regulations. Alien invasive plants can increase the flammability of an area, creating a fire hazard for solar facilities. Develop a formal Invasive Alien Plant Management Program to monitor and clear new invasive plants and to prevent further spread of this species within and beyond the site.	The Environmental Management Programme makes provision for an Alien Invasive Vegetation Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Alien Invasive Vegetation Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 7 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	Vultures were observed several times during both field surveys, as well as VulPro indicating that vultures have been observed roosting in the nearby facility of the project area on powerline infrastructure. These factors indicate that there is a risk of electrocutions and collisions to the vultures. Construction of solar	Risks to avifauna (including vultures) have been thoroughly assessed and considered by the avifaunal specialist study, which was conducted in compliance with the Best Practice Guidelines for Birds and Solar Energy. Avifaunal Management (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	farms (both photovoltaic (PV) and concentrated solar power (CSP)) required clearing large areas of vegetation, destroying essential foraging, roosting, and nesting grounds. This can displace vultures from their natural habitats and disrupt their established flight paths. The final EIA report must therefore fully comply with the requirements of the Best Practice Guidelines for Birds and Solar Energy for the assessment and monitoring of avian impacts associated with solar energy developments in Southern Africa as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015).	assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	The Directorate supports the preferred site alternative 3[5], which avoids water courses and minimises new disturbance, avoids critical habitats, and aligns with biodiversity conservation objectives. In addition, the following conditions must be incorporated into the final report to ensure no further loss to biodiversity:	
	• Activities must be restricted to already transformed or disturbed areas to limit further habitat loss.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Vegetation clearing must be minimised, and topsoil should be stripped, stored, and reused during site rehabilitation.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Clearly demarcate no-go areas on site before construction begins, especially around natural features	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

[5] Kindly note that the footprint site alternative 3 has been further reduced to avoid additional heritage features that were identified during the Revised Draft EIR comment period and additional heritage assessment that took place on site. Site Alternative 4 (Preferred Mitigated Alternative) was prepared and has been identified as the preferred alternative.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	such as rocky outcrops, drainage lines and any habitat supporting SCCs.	
	• A pre-construction faunal walkdown should be conducted by a qualified zoologist to confirm SCC presence and recommend appropriate relocation or avoidance measures.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A site rehabilitation plan must be included in the EMPr, detailing post-construction restoration of disturbed areas using indigenous and locally occurring plant species.	Rehabilitation and Habitat Restoration is included under Section 5.20 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Appropriate stormwater management measures must be implemented to prevent erosion, siltation, and sediment runoff into any watercourse.	The Environmental Management Programme makes provision for a Stormwater Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Stormwater Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 11 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A minimum 32-metre buffer must be maintained from the edge of all wetland features, unless otherwise approved through a Water Use Authorisation process.	A 32m aquatic buffer has been delineated and incorporated in the Site Layout Plan (Preferred Alternative). Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Avoid placing facilities in high-sensitivity areas for avifauna SCC i.e., vultures, such as within 50km of known colonies or major roosting sites.	All high-sensitivity Avifauna features were delineated and incorporated in the Site Layout Plan (Preferred Alternative) as No-Go areas. Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Appropriate avifauna mitigation measures be implemented, including the incorporation of bird-friendly infrastructure designs, installation of line diverters and anti-perch devices.	Avifaunal Management and mitigation measures (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I. Bird friendly designs will be used, and bird-flight diverters (BFD) installed accordingly on over head power lines.
	• In addition, a post-construction monitoring program should be developed and implemented for at least the first two years of operation to assess vulture and other Species of Conservation Concern (SCC) interactions with project infrastructure, identify emerging risks, and adapt mitigation measures accordingly.	A post construction Avifaunal Monitoring Programme is included in section 15.1.6 of the Final EMPr attached in Appendix I of the Final EIR.
	Noting, the site overlaps with the Vhembe Biosphere Reserve, please obtain comments from the DFFE Directorate: Multilateral Program (PAMP): Mr Vongani Maringa vmaringa@dffe.gov.za.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Vongani Maringa of the DFFE Directorate: Multilateral Program (PAMP) for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
	In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Seoka Lekota of the DFFE Directorate: Biodiversity Conservation for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
03/12/2025 Via Email Mr Seoka Lekota Directorate: Biodiversity Conservation Department of Forestry, Fisheries and the Environment **KLIPPUT SOLAR PV**	The Directorate: Biodiversity Conservation has reviewed and evaluated the report. The ecological assessment found that the proposed SEF is located within an area of medium to low ecological sensitivity, affecting the Makhado Sweet Bushveld (classified as Least Concern). In accordance with the Limpopo Conservation Plan, the POAI is situated within an area which is classified as Other Natural Area and falling outside of formally Protected Areas and Critical Biodiversity Areas. No sensitive ecological features requiring major design changes were identified. Consequently, all activities must maintain ecological integrity, biodiversity value, and ecosystem services to avoid impact on extremely sensitive areas altogether.	The Departments understanding of the sensitivity and protection status of the site is confirmed to be correct. All highly sensitive features have been avoided by the preferred layout alternative, Layout Alternative 4 (Mitigated Preferred Alternative).
	The POAI hosts potential habitat for alien invasive species such as *Cylindropuntia imbricata* (Tree Cholla.) This is a category 1b species as per the National Environmental Management: Biodiversity Act 2004 (No 10 of 2004) (NEM:BA) regulations. Alien invasive plants can increase the flammability of an area, creating a fire hazard for solar facilities. Develop a formal Invasive Alien Plant Management Program to monitor and clear new invasive plants and to prevent further spread of this species within and beyond the site.	The Environmental Management Programme makes provision for an Alien Invasive Vegetation Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Alien Invasive Vegetation Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 7 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Vultures were observed several times during both field surveys, as well as VulPro indicating that vultures have been observed roosting in the nearby facility of the project area on powerline infrastructure. These factors indicate that there is a risk of electrocutions and collisions to the vultures. As such, some appropriate mitigation measures are required. Construction of solar farms (both photovoltaic (PV) and concentrated solar power (CSP)) required clearing large areas of vegetation, destroying essential foraging, roosting, and nesting grounds. This can displace vultures from their natural habitats and disrupt their established flight paths. The final EIA report must therefore fully comply with the requirements of the Best Practice Guidelines for Birds and Solar Energy for the assessment and monitoring of avian impacts associated with solar energy developments in Southern Africa as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015).	Risks to avifauna (including vultures) have been thoroughly assessed and considered by the avifaunal specialist study, which was conducted in compliance with the Best Practice Guidelines for Birds and Solar Energy. Avifaunal Management (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	The Directorate supports the preferred site alternative 3[6], which avoids water courses and minimises new disturbance, avoids critical habitats, and aligns with biodiversity conservation objectives. In addition, the following conditions must be incorporated into the final report to ensure no further loss to biodiversity:	
	• Activities must be restricted to already transformed or disturbed areas to limit further habitat loss.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

[6] Kindly note that the footprint site alternative 3 has been further reduced to avoid additional heritage features that were identified during the Revised Draft EIR comment period and additional heritage assessment that took place on site. Site Alternative 4 (Preferred Mitigated Alternative) was prepared and has been identified as the preferred alternative.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Vegetation clearing must be minimised, and topsoil should be stripped, stored, and reused during site rehabilitation.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Clearly demarcate no-go areas on site before construction begins, especially around natural features such as drainage lines and any habitat supporting SCCs.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A pre-construction faunal walkdown should be conducted by a qualified zoologist to confirm SCC presence and recommend appropriate relocation or avoidance measures.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A site rehabilitation plan must be included in the EMPr, detailing post-construction restoration of disturbed areas using indigenous and locally occurring plant species.	Rehabilitation and Habitat Restoration is included under Section 5.20 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Appropriate stormwater management measures must be implemented to prevent erosion, siltation, and sediment runoff into any watercourse.	The Environmental Management Programme makes provision for a Stormwater Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Stormwater Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 11 of the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• A minimum 32-metre buffer must be maintained from the edge of all wetland features, unless otherwise approved through a Water Use Authorisation process.	A 32m aquatic buffer has been delineated and incorporated in the Site Layout Plan (Preferred Alternative). Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Avoid placing facilities in high-sensitivity areas for avifauna SCC i.e., vultures, such as within 50km of known colonies or major roosting sites.	All high-sensitivity Avifauna features were delineated and incorporated in the Site Layout Plan (Preferred Alternative) as No-Go areas. Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Appropriate avifauna mitigation measures be implemented, including the incorporation of bird-friendly infrastructure designs, installation of line diverters and anti-perch devices.	Avifaunal Management and mitigation measures (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I. Bird friendly designs will be used, and bird-flight diverters (BFD) installed accordingly on over head power lines.
	• In addition, a post-construction monitoring program should be developed and implemented for at least the first two years of operation to assess vulture and other Species of Conservation Concern (SCC) interactions with project infrastructure, identify emerging risks, and adapt mitigation measures accordingly.	A post construction Avifaunal Monitoring Programme is included in section 15.1.6 of the Final EMPr attached in Appendix I of the Final EIR.
	Noting, the site overlaps with the Vhembe Biosphere Reserve, please obtain comments from the DFFE Directorate: Multilateral Program (PAMP): Mr Vongani Maringa vmaringa@dffe.gov.za.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Vongani Maringa of the DFFE Directorate: Multilateral Program (PAMP) for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
	In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Seoka Lekota of the DFFE Directorate: Biodiversity Conservation for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
03/12/2025 Via Email Mr Seoka Lekota Directorate: Biodiversity Conservation Department of Forestry, Fisheries and the Environment **MAKOPPA SOLAR PV**	The Directorate: Biodiversity Conservation has reviewed and evaluated the report. The ecological assessment found that the proposed SEF is located within an area of medium to low ecological sensitivity, affecting the Makhado Sweet Bushveld (classified as Least Concern). In accordance with the Limpopo Conservation Plan, the POAI is situated within an area which is classified as Other Natural Area and falling outside of formally Protected Areas and Critical Biodiversity Areas. No sensitive ecological features requiring major design changes were identified.	The Departments understanding of the sensitivity and protection status of the site is confirmed to be correct. All highly sensitive features have been avoided by the preferred layout alternative, Layout Alternative 4 (Mitigated Preferred Alternative).
	The POAI hosts potential habitat for alien invasive species such as *Cylindropuntia imbricata* (Tree Cholla.) This is a category 1b species as per the National Environmental Management: Biodiversity Act 2004 (No 10 of 2004) (NEM:BA) regulations. Alien invasive plants can increase the flammability of an area, creating a fire hazard for solar facilities. Develop a formal	The Environmental Management Programme makes provision for an Alien Invasive Vegetation Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Alien Invasive Vegetation Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 7 of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Invasive Alien Plant Management Program to monitor and clear new invasive plants and to prevent further spread of this species within and beyond the site.	the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	Vultures were observed several times during both field surveys, as well as VulPro indicating that vultures have been observed roosting in the nearby facility of the project area on powerline infrastructure. These factors indicate that there is a risk of electrocutions and collisions to the vultures. As such, some appropriate mitigation measures are required. Construction of solar farms (both photovoltaic (PV) and concentrated solar power (CSP)) required clearing large areas of vegetation, destroying essential foraging, roosting, and nesting grounds. This can displace vultures from their natural habitats and disrupt their established flight paths. The final EIA report must therefore fully comply with the requirements of the Best Practice Guidelines for Birds and Solar Energy for the assessment and monitoring of avian impacts associated with solar energy developments in Southern Africa as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015).	Risks to avifauna (including vultures) have been thoroughly assessed and considered by the avifaunal specialist study, which was conducted in compliance with the Best Practice Guidelines for Birds and Solar Energy. Avifaunal Management (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	The Directorate supports the preferred site alternative 3[7], which avoids water courses and minimises new disturbance, avoids critical habitats, and aligns with biodiversity conservation objectives. In addition, the following conditions must be incorporated into the final report to ensure no further loss to biodiversity:	

[7] Kindly note that the footprint site alternative 3 has been further reduced to avoid additional heritage features that were identified during the Revised Draft EIR comment period and additional heritage assessment that took place on site. Site Alternative 4 (Preferred Mitigated Alternative) was prepared and has been identified as the preferred alternative.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Activities must be restricted to already transformed or disturbed areas to limit further habitat loss.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Vegetation clearing must be minimised, and topsoil should be stripped, stored, and reused during site rehabilitation.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Clearly demarcate no-go areas on site before construction begins, especially around natural features such as drainage lines and any habitat supporting SCCs.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A pre-construction faunal walkdown should be conducted by a qualified zoologist to confirm SCC presence and recommend appropriate relocation or avoidance measures.	Condition included in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A site rehabilitation plan must be included in the EMPr, detailing post-construction restoration of disturbed areas using indigenous and locally occurring plant species.	Rehabilitation and Habitat Restoration is included under Section 5.20 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• Appropriate stormwater management measures must be implemented to prevent erosion, siltation, and sediment runoff into any watercourse.	The Environmental Management Programme makes provision for a Stormwater Management Plan to be developed by a relevant specialist prior to commencement of construction activities. The outcomes and monitoring requirements identified in the Stormwater Management Plan must be adopted throughout the lifespan of the project. Please refer to Section 11 of the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I.
	• A minimum 32-metre buffer must be maintained from the edge of all wetland features, unless otherwise approved through a Water Use Authorisation process.	A 32m aquatic buffer has been delineated and incorporated in the Site Layout Plan (Preferred Alternative). Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Avoid placing facilities in high-sensitivity areas for avifauna SCC i.e., vultures, such as within 50 km of known colonies or major roosting sites.	All high-sensitivity Avifauna features were delineated and incorporated in the Site Layout Plan (Preferred Alternative) as No-Go areas. Please refer to the Site Layout Plans (Preferred Alternative) attached to the Final Environmental Impact Report as Appendix D1.
	• Appropriate avifaunal mitigation measures be implemented, including the incorporation of bird friendly infrastructure designs, installation of line diverters and anti-perch devices.	Avifaunal Management and mitigation measures (as required by the Avifaunal Impact Assessment) in accordance with the Best Practice Guidelines for Birds and Solar Energy for assessment and monitoring of avian impacts associated with solar energy developments as well as DFFE Guideline on Biodiversity for Renewable Energy Projects (2015) is included under Section 4.6 in the Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I. Bird friendly designs will be used, and bird-flight diverters (BFD) installed accordingly on over head power lines.
	• In addition, a post-construction monitoring program should be developed and implemented for at least the first two years of operation to assess vulture and other Species of Conservation Concern (SCC) interactions with project infrastructure, identify emerging risks, and adapt mitigation measures accordingly.	A post construction Avifaunal Monitoring Programme is included in section 15.1.6 of the Final EMPr attached in Appendix I of the Final EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Noting, the site overlaps with the Vhembe Biosphere Reserve, please obtain comments from the DFFE Directorate: Multilateral Program (PAMP): Mr. Vongani Maringa vmaringa@dffe.gov.za.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Vongani Maringa of the DFFE Directorate: Multilateral Program (PAMP) for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
	In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	The Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme was shared with Mr Seoka Lekota of the DFFE Directorate: Biodiversity Conservation for review and input. Please also refer to Appendix F9 attached to the Final Environmental Impact Report for proof of notification of the availability of the Revised Draft Environmental Impact Report (with appendices) and Environmental Management Programme.
02/12/2025 Via Letter Chatleka CPA Comment received from Mr Motshewa Matimolane	**FORMAL OBJECTION AND REQUEST FOR REFUSAL OF ENVIRONMENTAL AUTHORIZATION FOR THE TABOR SOLAR PHOTOVOLTAIC CLUSTER PROJECTS (KLIPPUT, DRAAILOOP, MAKOPPA, AND BETHEL PV) BASED ON FUNDAMENTALLY FLAWED LANDSCAPE AND VISUAL IMPACT ASSESSMENT (LVIA) REPORTS.** **1. INTRODUCTION AND LEGAL STANDING** The Chatleka Community Property Association (CPA) hereby registers its strong formal objection to the proposed Tabor Solar Photovoltaic Cluster projects, which include the Klipput, Draailoop, Makoppa, and Bethel PV Facilities, and their associated grid connections. As the land claimants on the affected farms representing the long-term interests, livelihoods,	**RESPONSE FROM VISUAL SPECIALIST:** VRMA does not agree with this statement, as motivated in the sections below. Given that this falls within a specialised field of practice, a comprehensive review by an independent visual impact specialist would be required to determine whether the reports are fundamentally inadequate or potentially misleading. We acknowledge receipt of your formal objection regarding the proposed Tabor Solar Photovoltaic Cluster projects, including the Klipput, Draailoop, Makoppa, and Bethel PV Facilities, as well as their associated grid connections. Your submission has been noted and will be duly considered as part of the Environmental Impact Assessment (EIA) process and the decision making process. We recognize the Chatleka Community Property Association (CPA) as an Affected Party with a direct interest in these developments, and we

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	and cultural heritage of our members in the vicinity of these proposed developments, the CPA is an Affected Party with a direct material and legal interest in the outcome of this Environmental Impact Assessment (EIA) process. This objection is based on a comprehensive, review of the submitted Landscape and Visual Impact Assessment (LVIA) reports prepared by Visual Resource Management Africa (VRMA). Our review concludes that the reports are fundamentally inadequate and misleading, failing to meet the requirements of Appendix 6 of the EIA Regulations, the principles of the National Environmental Management Act (NEMA), and international best practice. The LVIA's final recommendation for authorization WITH Mitigation is irrational, as it is based on inconsistent application of standards, flawed data, and a systematic underestimation of irreversible impacts.	appreciate the concerns raised regarding the long-term interests, livelihoods, and cultural heritage of your members. As mapped in the Annexure A of this response, the natural undulation of the local topography, and raised ground on southeast portion of Farm 435, would limit visual incidence. The existing buildings on the Farm fall outside of the project viewshed. There are also no residential buildings on the portion of land that fall within the project viewshed.
	2. CORE GROUNDS FOR SUBSTANTIVE OBJECTION **2.1 The Critical Fatal Flaw Inconsistency: PV vs. OHPL** The LVIA reports demonstrate an irreconcilable contradiction in the application of environmental significance criteria, undermining the credibility of the entire assessment cluster. The specialist consistently identifies the Overhead Powerline (OHPL) Tertiary Alternative as the "No-Go Alternative" and a "Fatal Flaw". This rejection is explicitly motivated by the Medium to High visual impact significance of the linear infrastructure, reasoning that the effective encirclement of Klipputs Farm (a property used for eco-tourism and hunting with an established	**Response from Visual Specialist (Visual Resource Management Africa):** This comment has been taken out of context. The No-Go Alternative referenced in the earlier report pertained specifically to the encirclement of the existing Klipputs Game Farm, where continuous *High* levels of visual exposure to the surrounding OHPL were anticipated. In the case of Farm 435, the nearest OHPL is located approximately 4 km to the southeast. Given the small visual footprint of monopoles, combined with the undulating bushveld landscape context, the cumulative visual effects of the OHPL at this distance would be minimal. There are already existing Eskom powerlines within the broader landscape, further reducing the significance of this contribution.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	lodge) would "significantly reduce the property's tourism value and altering its established sense of place". In direct contrast, the much larger, area-intensive Solar PV and BESS facilities themselves (totalling thousands of hectares across the four projects) are recommended for authorization WITH Mitigation. The operational visual impact significance for the expansive solar arrays is rated only Medium to Medium-Low WITH Mitigation. **Ground for Objection:** The CPA objects that this constitutes irrational administrative action. If a linear, discrete power line is considered a fatal flaw for the local eco-tourism economy, then the simultaneous approval of four clustered, massive industrial solar facilities that collectively cover hundreds of hectares in the immediate vicinity, causing far greater visual intrusion, must also be considered a fatal flaw. The specialist is applying an inconsistent standard that appears to prioritize industrial energy development over existing high-value, lawful eco-tourism land use.	Furthermore, no residential or tourism facilities on Farm 435 fall within the viewshed of the proposed landscape change (refer to the Viewshed Map generated from the Farm 435 main farm buildings). With the removal of the OHPL previously identified as a *Fatal Flaw*, the existing Klipputs Lodge would not have any visibility of the proposed PV/BESS infrastructure.
	2.2 Unacceptable Cumulative Impact and Violation of NEMA Principles The assessment of cumulative impacts (CLVIA) is demonstrably inadequate and contradicts the specialist's own baseline findings. 1. **Admission of Irreversible Harm vs. Acceptance:** The reports unequivocally state that the combined PV cluster "will result in a substantial transformation of the local landscape character, regardless of mitigation". Despite this admission of	**<u>Response from Visual Specialist (Visual Resource Management Africa):</u>** The proposed PV development will result in a substantial change to the *local* landscape. However, the viewshed analysis indicates that the Zone of Visual Influence (ZVI) will remain regionally contained. Although the site holds some scenic value, the landscape lacks significant landform features that would elevate the overall scenic quality. The area is remote, with no residential receptors other than a small number of labour dwellings on the adjacent farm, and no residential dwellings on Farm 435 itself. Aside from a single lodge comprising four cottages, there are no additional tourism or eco-tourism

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	substantial and irreversible landscape change, the cumulative visual risk is ultimately rated as only Medium with mitigation. **Ground for Objection:** The CPA asserts that recommending approval when the specialist confirms "substantial transformation... regardless of mitigation" violates the Precautionary Principle (NEMA s. 2(4)(a)(vii)). 2. **Unquantified Dark Sky Degradation**: The CLVIA identifies that combined light spillage from the numerous Battery Energy Storage Systems (BESS) and security lighting will significantly degrade the dark-sky quality, which supports local eco-tourism and the rural sense of place. However, the reports provide no site-specific photometric modelling or cumulative night-time visualization to quantify this critical impact.	activities in the surrounding area. This reinforces the assessment of the landscape as having **moderate scenic value**, which limits the area's broader tourism potential. While the landscape change at the site level will be significant, this does not constitute a fatal flaw in terms of landscape or visual impact, given the limited number of receptors and the moderate scenic quality of the broader area. Nevertheless, the Relevant Authority must still give due consideration to the extent of localised landscape change when determining the overall suitability of the proposed development. It is for this reason that this was highlighted. In the EMPr there is guidelines for lighting: • Outside lighting must be designed and limited to minimize impacts on fauna. All outside lighting should be directed away from highly sensitive areas; • Any security lighting must be restricted to the Site Camp and Laydown area and no security lighting may be placed in the field; • All security lighting should be attached to motion sensers and be dark sky friendly; • No lighting may be placed on the perimeter security fencing; and • The minimum amount of lighting should be used at night and this should be of the low-UV emitting kind that attracts less insects.
	2.3 Failure to Adhere to Environmental Justice and Procedural Fairness 1. **Exclusion of CPA Viewpoints:** The LVIA relies on Key Observation Points (KOPs) selected mainly from major roads (Botteliers Road, Gage Road) and commercial farmsteads. There is no evidence that KOPs were selected based on the specific viewpoints, communal grazing areas, footpaths, or residential clusters of the Chatleka CPA members or the vulnerable Klipputs	**RESPONSE FROM VISUAL SPECIALIST:** In terms of the Visual Resource Management (VRM) methodology, Key Observation Points (KOPs) are defined by the Bureau of Land Management as the strategic locations from which people (receptors) consistently experience views of the landscape where modifications are proposed. To identify KOPs for this assessment, potential receptor locations highlighted in the viewshed analysis were screened using the following criteria:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Labour Tenants. The Klipputs Labour Tenants are listed as a Very High visual exposure receptor, yet were initially dismissed as not a KOP in one report. Ground for Objection: The systematic exclusion of communal land viewpoints violates the NEMA principle of Environmental Justice (NEMA s. 2(4)(c)) by failing to assess the disproportionate visual impact borne by vulnerable communities. 2. **Absence of Site-Specific Visualizations**: A material procedural deficiency across all reports is the critical absence of site-specific photomontages or visualizations from the identified KOPs. The reports admit visualizations are "vital in large-scale modifications" to inform I&APs. This omission prevents the Chatleka CPA from meaningfully verifying the subjective Contrast Ratings (Weak, Moderate, Strong) and constitutes a breach of transparency and procedural fairness.	• Angle of observation; • Number of viewers; • Duration of view; • Relative project scale within the view; • Season of use; • Critical viewpoints (e.g., communities, road crossings); and • Distance from the property. Given that the majority of Farm 435 lies outside the project viewshed—including all existing farm dwellings—and that no residential receptors or significant landscape features occur within the smaller southeastern portion of the farm where partial visibility exists, this area was not classified as a KOP. It was not considered a critical viewpoint in terms of VRM criteria. While photomontages can be required under certain circumstances, they are not mandatory for all VIAs. The motivation for not preparing photomontages for this assessment is based on the remote location of the site, the absence of residential receptors, and the lack of prominent or sensitive landforms located within an undulating bushveld landscape where the open vistas are mainly contained by the bushveld vegetation. The primary potential views of the proposed change would occur from the main farm access roads. Given the 100 m setback from the road reserve—resulting in a 200 m wide buffer zone—combined with the density of bushveld vegetation, visual intrusion would be significantly reduced. Furthermore, the access roads are not characterised as tourist view corridors and experience limited traffic. On this basis, photomontages were not deemed necessary for this VIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2.4 Underestimation of Technical and Socio-Economic Impacts 1. **Unreliable Technical Data:** The viewshed analysis (Zone of Visual Influence/ZVI) relies on open-source NASA ASTER Digital Elevation Model (DEM) data, which the reports themselves admit is "approximate" and may incorrectly represent local topography, requiring verification via detailed survey. Relying on acknowledged approximate data for impacts of this magnitude is unacceptable. 2. **Economic Loss Unquantified:** The reports acknowledge the clear emphasis on eco tourism and game farming in the area but are entirely spatial and visual, lacking any socio-economic impact assessment to quantify the potential loss of tourism revenue, devaluation of land, or impact on the wilderness experience for existing lawful livelihoods. 3. **Inadequate Mitigation and Irreversibility:** The reports classify the extensive PV arrays (with an operational life of 20 years) as "reversible," yet simultaneously acknowledge that the loss of bushveld vegetation would not be reversed and cannot be fully restored. This misclassification undermines the entire impact assessment. Furthermore, reliance on generic mitigation measures (e.g., dust suppression) lacks specific enforcement metrics and monitoring protocols.	**RESPONSE FROM VISUAL SPECIALIST:** 1. The use of open-source data is considered suitable for viewshed analysis. While the SRTM Digital Terrain Model (DTM) is a generalised dataset, it is adequate for landscape-scale assessments. The use of LiDAR data, while more accurate, is prohibitively expensive for most EIAs. If LiDAR were used, the viewshed outputs would be more precise and would show a *significantly reduced* area of visual incidence. This is because the SRTM DTM does not incorporate vegetation height. In contrast, LiDAR would accurately map the height and density of the adjacent bushveld vegetation, particularly along the road corridors, and would therefore depict a far more constrained Zone of Visual Influence (ZVI). **RESPONSE FROM SOCIAL SPECIALIST:** 2. While the development does occupy land during its operational period, it's important to note that solar developments are not permanent infrastructure. At decommissioning, the land can be restored for alternative uses. Additionally, the rental income generated can fund agricultural or other economic activities on adjacent or alternative land. The SIA also identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td><u>RESPONSE FROM VISUAL SPECIALIST:</u>

3. In relation to the issue of “reversibility” of the bushveld vegetation, the significance of any vegetation loss must be guided by the findings of the Botanical Specialist. Given the moderate scenic and landscape significance of the area in question, this further reduces the overall sensitivity ratings attributed to the receiving landscape.</td></tr>
<tr><td></td><td>3. GENERAL GAPS TO HIGHLIGHT

The CPA further highlights the following systemic gaps found across the LVIA cluster reports:

<table><tr><th>General Gap</th><th>Specific Deficiency to Highlight</th></tr><tr><td>Cultural Landscape Gap</td><td>The LVIA fails to document or assess the profound cultural, traditional, or spiritual significance of the bushveld landscape to the Chatleka CPA members or local indigenous communities.</td></tr><tr><td>Glint and Glare Analysis</td><td>There is a complete omission of a formal, technical analysis or modelling of glint and glare impacts from the photovoltaic panels on sensitive receptors.</td></tr><tr><td>Long-Term Liability</td><td>The reports lack secure, legally-binding mechanisms</td></tr></table></td><td><u>RESPONSE FROM VISUAL SPECIALIST:</u>

<u>Cultural Landscape Gap</u>

According to the UNESCO classification of Cultural Landscapes, natural landscapes may fall under the category of Associative Cultural Landscapes. These are landscapes that hold powerful cultural, spiritual, or symbolic associations for a community, even where the physical landscape remains largely natural.

While this is an important consideration, the significance of the local bushveld landscape as a “powerful” associative cultural landscape warrants careful consideration. As previously noted, the landscape in question is of moderate scenic quality and does not contain any significant landforms. For the claim to be upheld, the Chatleka CPA would need to provide evidence that the portion of their land with visual incidence is used in a cultural, symbolic, or spiritual manner, such that the asserted associative value can be substantiated. Satellite imagery confirms that there are no structures or identifiable cultural features within this area. The Heritage specialist did identify potential additional sites based on early aerial imagery and these have also been excluded from the proposed development footprint.

Should this information/ specific locations etc.. be made available, this matter would need to be assessed by the appointed Heritage Specialist. To date the specific nature of these terms have not be provided in the PPP. Without these</td></tr>
</table>

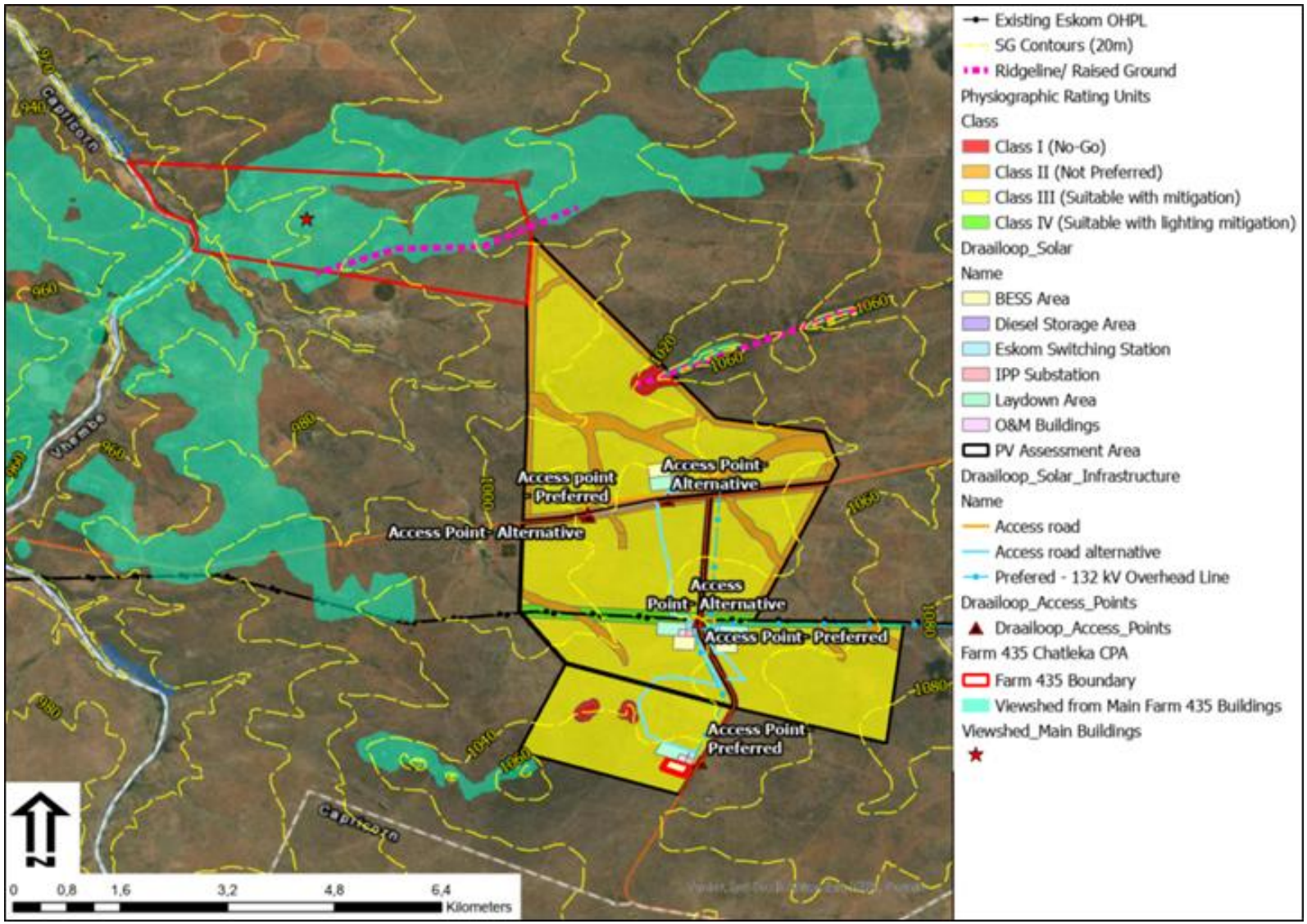
Date of Comment, format of comment, name of organization/I&AP	Comment		Response[3]
		and financial assurances to ensure perpetual maintenance of mitigation and comprehensive site restoration after decommissioning.	
	Alternatives Inadequacy	The assessment fails to demonstrate that less visually sensitive alternative locations or reduced project extents were genuinely considered to avoid high-conflict areas.	
	Seasonal Variation	The site visit was conducted in January 2025, failing to assess visual exposure during the dry, winter months when vegetation screening is dramatically reduced.	
	The LVIA reports for the Tabor Solar projects are critically flawed by a "Cultural Landscape" Gap, failing to document the profound cultural, traditional, and spiritual significance of the bushveld landscape to the Chatleka CPA members and local indigenous communities. The assessment treats the area as a mere physical container, disregarding its status as a lived in, worked-in, and spiritually significant space, thereby ignoring the principles of cultural value established in the referenced International Good Practice (GLVIA) and IFC Performance Standards (PS 6 & PS		specific identifiers, it is highly unlikely that the 'general bushveld' would constitute a significant cultural landscape status. **Glint and Glare** While this was not included in the VIA, the expected risk from this is deemed to be Low for the following reasons: 1. There are very few residential receptors located in the area. The receptors that do fall within the viewshed are all located on lower lying areas where the surrounding bushveld vegetation would significantly reduce the potential for glint and glare. 2. There general terrain is gently undulating with all the elevated areas excluded from the PV development site. As such, the risk from glint and glare is reduced. There are no receptors located on prominent and 'open' locations. 3. The recommendation is for Single Access Trackers. These PV panels track the sun from east to west where there is no low angle incidence where a 'mirror' effect takes place. 4. Please refer to the response under item 2.4(1). 5. Please refer to the response under 2.1 above. 6. Please refer to the response in item 3 above as well as those provided by the Heritage Specialist. **Response from EAP** A glint and glare impact assessment was not considered to be a legally mandated requirement in terms of the Civil Aviation regulations as the facility is not in proximity to any aviation infrastructure or airport approaches.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	8), which require the consideration of non-material benefits and socio-cultural responses derived from the landscape.	**Alternatives Inadequacy** As there are no residential or tourism facilities located within the portion of the property that falls inside the viewshed, this area was not regarded as a high-conflict receptor zone. To ensure adequate mitigation and to minimise visual intrusion on adjacent properties, a 100 m internal buffer was applied, which will assist in reducing potential visibility from neighbouring sites. **Seasonal Variation** Although some seasonal variation in foliage density is expected, the thicket characteristics of the bushveld vegetation within the 100 m buffers along the road and neighbouring boundaries will continue to provide effective visual screening in both winter and summer. As such, seasonal leaf loss is not anticipated to materially alter the extent of visual exposure. The IFC performance standards 6 and 7 will be considered further at a later stage of the development process on completion of the Environmental Process **Response from Applicant:** Only if the project is awarded a positive environmental authorization, may the applicant pursue the other relevant permits/licenses, and in preparation for financial close, financial modelling will be undertaken, informed by not just the environmental requirements, but all development conditions. At which point financial provision will be considered to ensure that the mitigation can be met and maintained.
	4. REQUESTED ACTIONS BY THE CHATLEKA CPA Based on the substantive and procedural flaws identified in the LVIA documentation, the Chatleka CPA demands that the Competent Authority take the following steps:	Please refer to the sections above, where the specialist has refuted the alleged shortcomings of the Landscape and Visual Impact Assessment. The proposal satisfies the NEMA Precautionary Principle by ensuring that opportunities for ongoing cultural activities are confined to the designated heritage buffer zones, thereby preventing any potential adverse impacts on

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	PRIMARY DEMAND: REFUSAL OF AUTHORIZATION The Competent Authority is requested to REFUSE Environmental Authorization for all four Tabor Solar PV Cluster Projects and associated grid infrastructure. **Grounds for Refusal:** Violation of the NEMA Precautionary Principle, failure to adequately assess cumulative impacts, and the existence of irresolvable conflict with established, high value eco-tourism land uses and the CPA's communal land rights. **ALTERNATIVE DEMAND: REQUIREMENT FOR SIGNIFICANT ADDITIONAL INFORMATION** Should the Competent Authority not immediately refuse authorization, the CPA demands that the LVIA reports be formally **REJECTED AS INADEQUATE**, and the Proponents be mandated to supply the following essential information before the assessment process can proceed: 1. **Comprehensive Cumulative Modelling**: Provision of full, integrated cumulative visual and night-time photometric models showing the stacked intervisibility and light spill from all four projects, demonstrating the visual impact on receptors up to 10km away. 2. **Socio-Economic Quantification**: A detailed socio-economic impact assessment that quantifies the potential loss of tourism revenue and devaluation of the wilderness experience for eco-tourism operations in the region. Chatleka CPA — Guardians of our Land, Heritage, and Future 3. **Corrected Visualizations**: Provision of site-specific photomontages from all identified KOPs, including newly	sensitive cultural resources. By further requiring that all cultural activities remain compatible with the approved site layout and its functional requirements, the development maintains a precautionary and environmentally responsible framework. This proposal demonstrates that appropriate measures have been taken to avoid, minimise, and manage potential risks, ensuring that cultural use of the area proceeds in a controlled and sustainable manner. The proposed PV development will result in a substantial change to the *local* landscape. However, the viewshed analysis indicates that the Zone of Visual Influence (ZVI) will remain regionally contained. Although the site holds some scenic value, the landscape lacks significant landform features that would elevate the overall scenic quality. No residential or tourism facilities on Farm 435 fall within the viewshed of the proposed landscape change. **With the removal of the OHPL previously identified as a *Fatal Flaw***, the existing Klipputs Lodge would not have any visibility of the proposed PV/BESS infrastructure. **While there is a strong visual preference for the Preferred Routing, the Secondary Alternative routing is rated Medium for Visual Impact Significance and would not be a Fatal Flaw.** The No-Go Alternative referenced in the earlier report pertained specifically to the encirclement of the existing Klipputs Game Farm, where continuous *High* levels of visual exposure to the surrounding OHPL were anticipated. In the case of Farm 435, the nearest OHPL is located approximately 4 km to the southeast. Given the small visual footprint of monopoles, combined with the undulating bushveld landscape context, the cumulative visual effects of the OHPL at this distance would be minimal. There are already existing Eskom powerlines within the broader landscape, further reducing the significance of this contribution.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	identified CPA community viewpoints, complete with verified metadata (coordinates, focal length). 4. **Technical Data Verification**: Viewshed modelling must be redone using high resolution DEM data (5m or better) and cross-sections to verify outputs, rectifying the acknowledged reliance on approximate ASTER data. 5. **Resolution of Inconsistency**: A full explanation and justification resolving the PV versus OHPL "fatal flaw" inconsistency. 6. **Heritage impact assessment**: Evaluate the heritage, cultural, and spiritual impacts resulting from the project's modified landscape and visual elements. This assessment must be conducted in direct consultation with the Chatleka CPA and all other affected Communal Property Associations in the project area. Failure to address these issues will constitute procedural unfairness and irrational administrative action, as decision-making cannot be based on incomplete, unverifiable, or technically deficient specialist studies. We reserve all rights, including the right to appeal any decision and the right to seek legal review and compensation.	Given that the majority of Farm 435 lies outside the project viewshed—including all existing farm dwellings—and that no residential receptors or significant landscape features occur within the smaller southeastern portion of the farm where partial visibility exists, this area was not classified as a KOP. It was not considered a critical viewpoint in terms of VRM criteria. The use of open-source data is considered suitable for viewshed analysis. While the SRTM Digital Terrain Model (DTM) is a generalised dataset, it is adequate for landscape-scale assessments. The use of LiDAR data, while more accurate, is prohibitively expensive for most EIAs. If LiDAR were used, the viewshed outputs would be more precise and would show a *significantly reduced* area of visual incidence. This is because the SRTM DTM does not incorporate vegetation height. In contrast, LiDAR would accurately map the height and density of the adjacent bushveld vegetation, particularly along the road corridors, and would therefore depict a far more constrained Zone of Visual Influence (ZVI). **RESPONSE FROM SOCIAL SPECIALIST** While the development does occupy land during its operational period, it's important to note that solar developments are not permanent infrastructure. At decommissioning, the land can be restored for alternative uses. Additionally, the rental income generated can fund agricultural or other economic activities on adjacent or alternative land. The SIA also identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions. **Response from Applicant:** Only if the project is awarded a positive environmental authorization, may the applicant pursue the other relevant permits/licenses, and in preparation for financial close, financial modelling will be undertaken, informed by not just the environmental requirements, but all development conditions. At which point financial provision will be considered to ensure that the mitigation can be met and maintained.


Existing Eskom OHPL
SG Contours (20m)
Ridgeline/ Raised Ground
Physiographic Rating Units
Class
Class I (No-Go)
Class II (Not Preferred)
Class III (Suitable with mitigation)
Class IV (Suitable with lighting mitigation)
Draailoop_Solar
Name
BESS Area
Diesel Storage Area
Eskom Switching Station
IPP Substation
Laydown Area
O&M Buildings
PV Assessment Area
Draailoop_Solar_Infrastructure
Name
Access road
Access road alternative
Prefered - 132 kV Overhead Line
Draailoop_Access_Points
Draailoop_Access_Points
Farm 435 Chatleka CPA
Farm 435 Boundary
Viewshed from Main Farm 435 Buildings
Viewshed_Main Buildings
Access point Preferred
Access Point Alternative
Access Point Alternative
Access Point Alternative
Access Point Preferred
Access Point Preferred
Vlambe
Capteon
Capteon
N
0 0,8 1,6 3,2 4,8 6,4
Kilometers

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
02/12/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	Attached please find Letter of Objection against the Landscape and Visual Impact Assessment reports for the Tabor Solar projects.	The letter attached in the email of 02/12/2025 is responded to in the sections above.
25/11/2025 Via Verbal Communication during Public Open Day / Information Session held on 25/11/2025 at the Vleifontein Community Hall, Louis Trichardt.	These communications were part of the Questions and Answers session at the open day, that was facilitated by the Ward Councillor. Details regarding the attendance and structure of this open day is included in Appendix F11.	
	Who is the competent authority that issues a decision on the Environmental Authorisation Application?	The National Department of Forestry, Fisheries and the Environment (DFFE) is the competent authority for the proposed development applications.
	How will the local community based around the proposed development sites and the Tabor Substation benefit should the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV be approved and developed?	Please see extract from the Social Impact Assessments (attached as Appendix E7 to the FEIR) undertaken for the proposed development projects below: <u>Potential positive impacts during the construction phase:</u> • Creation of employment and business opportunities, and the opportunity for skills development and on-site training. • The construction phase projects will extend over a period of approximately 18 months and create in region of 250-300 employment opportunities. Members from the local communities in the MM may potentially qualify for low skilled and semi-skilled and some skilled employment opportunities. Given the high unemployment levels in the area the creation of employment opportunities will represent a localised social benefit. However, the low education and skills levels in the area may limit the opportunities for local employment. • The wage bill will be in the region of R 60 million (2025 Rand values). A percentage of the wage bill will be spent in the local economy which

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		will also create opportunities for local businesses in the local towns in the area. • The capital expenditure will be approximately R 4 billion (2025 Rand value). Due the lack of diversification in the local economy the potential for local companies in the MM is likely to be limited. Most benefits are therefore likely to accrue to contractors and engineering companies based outside the MM. The local service sector will benefit from the construction phase. The potential opportunities would be linked to accommodation, catering, cleaning, transport, and security, etc. associated with the construction workers on the site. <u>Potential positive impacts during the operational phase:</u> • Establishment of infrastructure to improve energy security and support renewable sector. • Creation of employment and business opportunities. • Benefits for project landowners. • Benefits associated with socio-economic contributions to community development. The proposed project will supplement South Africa's energy and assist to improve energy security. In addition, it will also reduce the country's reliance on coal as an energy source. This represents a positive social benefit." (Tony Barbour Environmental Consulting, 2025).
	Should the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV be approved and developed, will this result in lower electricity prices for the public?	The proposed projects will not sell energy directly to the public. Either Eskom or a private off taker will purchase the energy generated by these projects. The applicant on these projects does not have any control of the energy tariffs to the public, as these are prescribed by Eskom in conjunction with NERSA or by the Local Municipality.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Please outline the various engagements undertaken with the public pertaining to the Environmental Authorisation Applications for the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV.	Three public participation periods have been completed thus far: • 25 April 2025 – 27 May 2025 (Draft Scoping Report) • 22 August 2025 – 26 September 2025 (Draft Environmental Impact Report) • 07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report) Including the open day that took place on 25 November 2025. All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>How long does the Environmental Authorisation Application process take and by when will construction commence?</td><td>Once the final Environmental Impact Report is submitted to the competent authority for decision making, the competent authority have 56 days to decide on the application (either approve or refuse the application). This period would have usually been 106 days which is reduced as the project has been classified as a strategic Integrated project by the Department of Infrastructure.

The environmental application process is the first step that needs to be concluded before any of the other development activities take place. It is likely that construction would only commence approximately 2 years from the date when the project receives Environmental Authorisation.</td></tr>
<tr><td></td><td>Has the developer indicated where the proposed development sites are located?</td><td>Yes, the applicant has identified the proposed development sites. Please refer to the table below for a summary of all the affected properties:

<table><tr><th>Project</th><th>Affected Properties</th></tr><tr><td>Bethel Solar PV (240MW PV Facility)</td><td>PV:
- Farm 431
- Remainder of Farm 466

Grid Connection:
- Farm 431
- Remainder of Farm 466
- Portion 1 of Farm 466
- Portion 1 of Farm 425
- Portion 2 of Farm 425
- Remainder of Farm 424
- Portion 2 of Farm 470
- Farm 1211
- Remaining Extent of Portion 2 of Farm 472
- Farm 1209</td></tr></table></td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th colspan="2">Response[3]</th></tr>
<tr><td></td><td></td><td></td><td>- Portion 1 of Farm 473</td></tr>
<tr><td></td><td></td><td>Draailoop Solar PV (240MW PV Facility)</td><td>PV:
- Portion 1 of Farm 425,
- Remainder of Farm 430
- Farm 431

Grid Connection:
- Remainder of Farm 430
- Farm 431
- Remainder of Farm 466
- Portion 1 of Farm 466
- Portion 1 of Farm 425
- Portion 2 of Farm 425
- Remainder of Farm 424
- Portion 2 of Farm 470
- Farm 1211
- Remaining Extent of Portion 2 of Farm 472
- Farm 1209
- Portion 1 of Farm 473</td></tr>
<tr><td></td><td></td><td>Klipput Solar PV (240MW PV Facility)</td><td>PV:
- Portion 1 of Farm 425
- Portion 1 of Farm 466
- Remainder of Farm 466

Grid Connection:
- Remainder of Farm 466
- Portion 1 of Farm 466
- Portion 1 of Farm 425
- Portion 2 of Farm 425
- Remainder of Farm 424</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td></td><td>- Portion 2 of Farm 470
- Farm 1211
- Remaining Extent of Portion 2 of Farm 472
- Farm 1209
- Portion 1 of Farm 473</td></tr>
<tr><td>Makoppa Solar PV (75MW PV Facility)</td><td>PV:
- Portion 1 of Farm 465

Grid Connection:
- Portion 1 of Farm 465
- Remainder of Farm 466
- Portion 1 of Farm 466
- Portion 1 of Farm 425
- Portion 2 of Farm 425
- Remainder of Farm 424
- Portion 2 of Farm 470
- Farm 1211
- Remaining Extent of Portion 2 of Farm 472
- Farm 1209
- Portion 1 of Farm 473</td></tr>
</table>
The EAP than showed members of the meeting the various location maps in relation to key landscape features, so that attendees were able to understand exactly where infrastructure was proposed.
</td></tr>
<tr><td></td><td>Is the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV the first projects undertaken by the developer, or have they undertaken similar projects in other areas?</td><td>Please see below extract from the Mulilo public website:

“Mulilo is a renewable energy developer and Independent Power Producer (IPP) committed to leading South Africa’s transition to a more sustainable future. Our</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>commitment involves developing, owning, and operating utility scale solar, wind, and battery energy storage systems.

Established in 2008, Mulilo has experienced tremendous success in the South African renewable energy industry. This success has resulted in Copenhagen Infrastructure Partners – the world's leading renewable energy private equity investor - acquiring a majority shareholding in the company in 2023.

Mulilo has experienced success in both the private and public sectors of the market, with multiple Power Purchase Agreements (PPA)s signed with both large corporate energy users and the Department of Mineral Resources and Energy, through its Renewable Energy Independent Power Producer Procurement Programme (REIPPPP).

Mulilo aims to bring 5GW of renewable energy and battery energy storage projects into construction and operation by 2028.

We currently operate 420 MW of wind and solar projects, with 667 MW in construction, approximately 1500 MW nearing Financial Close and have a long-term development pipeline of over 30 GW.

Mulilo owes its success to the dedication and contributions of its people and the strength of its culture. The company takes immense pride in fostering a world-class working environment that supports its team of the best and brightest, optimising and leveraging their unique skills to their fullest potential." (www.mulilo.com).

Please note that Mulilo established four Special Purpose Vehicles (SPV) solely to develop, construct, and operate the following proposed developments:

<table><tr><th>Applicant</th><th>Project</th></tr><tr><td>Bethel Solar PV (Pty) Ltd</td><td>Bethel Solar PV (240MW PV Facility)</td></tr></table></td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td><table>
<tr><td>Draailoop Solar PV (Pty) Ltd</td><td>Draailoop Solar PV (240MW PV Facility)</td></tr>
<tr><td>Klipput Solar PV (Pty) Ltd</td><td>Klipput Solar PV (240MW PV Facility)</td></tr>
<tr><td>Makoppa Solar PV (Pty Ltd</td><td>Makoppa Solar PV (75MW PV Facility)</td></tr>
</table></td></tr>
<tr><td></td><td>The proposed developments should benefit the nearby communities. Recruitment of labour should focus on the closest communities.</td><td>Please see extract from the Social Impact Assessments (attached as Appendix E7 to the FEIR) undertaken for the proposed development projects below:

“The construction phase projects will extend over a period of approximately 18 months and create in region of 250-300 employment opportunities. Members from the local communities in the MM may potentially qualify for low skilled and semi-skilled and some skilled employment opportunities. Given the high unemployment levels in the area the creation of employment opportunities will represent a localised social benefit. However, the low education and skills levels in the area may limit the opportunities for local employment.

The wage bill will be in the region of R 60 million (2025 Rand values). A percentage of the wage bill will be spent in the local economy which will also create opportunities for local businesses in the local towns in the area.

The capital expenditure will be approximately R 4 billion (2025 Rand value). Due the lack of diversification in the local economy the potential for local companies in the MM is likely to be limited. Most benefits are therefore likely to accrue to contractors and engineering companies based outside the MM. The local service sector will benefit from the construction phase. The potential opportunities would be linked to accommodation, catering, cleaning, transport, and security, etc. associated with the construction workers on the site.” (Tony Barbour Environmental Consulting, 2025).</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Sadiki CPA to be included in correspondence.	The Sadiki Communal Property Association has been included in the stakeholder register for these projects as an Interested & Affected Party, and will be informed throughout the remainder of the Environmental Authorisation Application process.
	The proposed developments are viewed as a positive for the area.	No response required.
	Small villages around the proposed development sites are managed by Chiefs.	During the detailed Local Economic Development (LED) process, the applicants LED team will engage further with the Chiefs of the various villages surrounding the project.
	What will happen once the proposed developments are completed i.e., will there be any changes to how the public buys electricity or changes to household electricity meters?	There will be no changes to how electricity is distributed to the public as a result of the proposed developments. All processes such as buying electricity as well as household electricity meters will remain unchanged.
25/11/2025 Via Email To South African Heritage Resource Association (SAHRA) Chatleka CPA Motz Ntimo – Chatleka Communal Property Association	The Chatleka Communal Property Association (CPA) hereby registers a formal and unequivocal objection to the Heritage Impact Assessment (HIA) conducted by CTS Heritage for the proposed Tabor Solar PV Cluster of projects (Draailoop, Bethel, Klipput, and Makoppa). The land in question is the subject of a decades-old, unresolved Land Restitution Claim (KRP 693), and this HIA—in its current form—is fundamentally flawed, procedurally defective, and substantively incomplete. We believe that reliance on this report will lead to the irreversible loss of critical heritage resources and further institutionalize the dispossession of our community. **Core Grounds for Objection:**	**RESPONSE FROM HERITAGE SPECIALIST.** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was scheduled for 25 November 2025 in order to address this gap in the HIA. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	1. **Failure to Assess Living Cultural Landscape:** The HIA focuses almost exclusively on archaeological artefacts (stone tools, ceramics) and fails entirely to assess the **Living Cultural Landscape**, **Oral History**, and **Intangible Heritage** of the Batlokwa ba Chatleka community. This omission is a direct contravention of the National Heritage Resources Act (NHRA) requirements. 2. **Omission of Ancestral Graves and Sites:** The assessment failed to adequately consult with the CPA's elders and leadership, resulting in the exclusion of numerous **unmarked ancestral graves**, burial grounds, and sacred sites that are of profound significance to our community. The report does not reflect the spiritual and historical memory of the land. 3. **Procedural Flaws and Exclusion:** The process has been exclusionary. We demand a transparent and inclusive engagement process, with our elders actively involved in defining, identifying, and verifying all heritage resources on the ancestral land. 4. **HIA Recommendations are Insufficient:** We demand the **rejection** of the current HIA and all associated Environmental Authorisation processes until a comprehensive, participatory Living Heritage Assessment is undertaken. This new assessment must include a binding commitment to a **Conservation Management Plan (CMP)**, developed in collaboration	within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the updated HIA. These additional heritage sites along with the appropriate buffers provided by the heritage specialist were used to inform the layout. Layout Alternative 4 (Mitigated Preferred Layout) avoids all of the identified heritage features. The objections shared will be included in the revised HIA submitted to SAHRA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	with the Chatleka CPA, prior to any future consideration of construction. We urge SAHRA to exercise its regulatory mandate by reviewing the attached formal objection letters from the CPA's leadership and demanding a complete suspension of the current heritage assessment process. The attached documents provide detailed narratives and critiques of the HIA's methodology and findings from various CPA members, including: • Chatleka CPA - Response to Wiltshire (Heritage Impact Assessment Specialist).docx • Chatleka CPA - Objection by Mr Richard Malefo.pdf • Chatleka CPA - Objection by Makgetsi to HIA.pdf • Chatleka CPA - Objection by Ngwako Seima 25 November 2025.pdf • Chatleka CPA - Objection to Heritage Impact Assessment Report 10 November 2025.pdf We look forward to your urgent confirmation that this objection has been received and that the necessary steps will be taken to mandate a process that respects the letter and spirit of the NHRA and the constitutional rights of our community.	
25/11/2025 Via Letter Chatleka CPA	**FORMAL OBJECTION TO THE TABOR SOLAR PV CLUSTER – HALTING THE REPETITION OF HISTORICAL DISPOSSESSION AND PROTECTING OUR ANCESTRAL INHERITANCE AND LIVING HERITAGE.**	**RESPONSE FROM HERITAGE SPECIALIST.** The statement in the report has been updated to state that "based on the information available, the area proposed for development has insufficient value

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr Ngwako Seima – Elder & Former Treasurer Chatleka Communal Property Association	I come before you today not with legal statutes alone, but with the unburied grief and enduring hope of a community that has fought for thirty long years for justice. I write this as an elder whose lifespan has bridged the cruelty of the past regime and the slow, agonizing promise of the present one. I am deeply involved in the struggle for land claim KRP 693. My hands have held the original affidavits, signed in 2003, detailing the trauma we endured. My greatest fear, Mr. Holder, is that after decades of waiting, the Environmental Impact Assessment (EIA) for the Tabor Solar PV Cluster—the Draailoop, Bethel, Klipput, and Makoppa projects—will formalize a second, final act of dispossession. This time, the violence is not committed by the trek-pass system; it is committed by glossy reports and an Environmental Authorisation that declares our ancestral heritage to be of "insufficient value". We appeal to the humanity that must still reside within the processes of development. We plead with you to give serious consideration to the grounds of objection against the Heritage Impact Assessment (HIA, Appendix E4) and the Social Impact Assessment (SIA, Appendix E7).	to warrant formal protection in terms of the provisions of section 27 of the NHRA." **RESPONSE FROM EAP** We acknowledge the gravity of your statement and the historical context you have highlighted. Your fear that this process could represent a "second, final act of dispossession" underscores the importance of ensuring that the EIA process is fair, transparent, and respectful of ancestral heritage and cultural values. Please be assured that your submission will be treated with the seriousness it deserves. The recognition and protection of cultural heritage, as well as the rights and interests of affected communities, are integral components of the EIA process. Your perspective will form part of the official record and will be considered in accordance with all applicable legislative and regulatory requirements. Please note that the PV Project will not take the land away nor it will not affect the outcome of the current Land claim.
	PART I: THE LAND IS A GRAVEYARD – TRAUMA AND HERITAGE IN THE AFFIDAVITS To understand why the Heritage Impact Assessment is a profound insult, you must know what the land already holds: not merely soil for photovoltaic panels, but the unhealed wounds of our ancestors. The heritage we seek to protect is not static; it is	**RESPONSE FROM HERITAGE SPECIALIST** The desecration of human remains is a criminal act in terms of section 36 of the NHRA and any evidence of such desecration must be urgently reported to SAPS for investigation. No surface evidence of human remains were identified, and during site work the specialist found no evidence of any desecration of graves.. All burial grounds that were identified during the HIA process have been mapped and provided

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the bitterness that is still felt by us and our descendants due to the loss of rights and the lack of access to ancestral sites. 1. The Desecration and the Souvenirs The most painful legacy of our dispossession is the trauma inflicted upon our burial grounds. Selokela Wilson Selota, in his affidavit concerning the farms Ladybrand (360LS) and Weltevreden (359LS), testified to a cruelty that defies comprehension. He recounted that a white farm manager was "even keen to collect human skulls as souvenirs for his living room". He detailed how a later farmer on Ladybrand "desiccated some graves, scattering the human bones all over," simply because he was "annoyed that people were still visiting the sacred sites". Think of this, Mr. Holder: the ground where your consultants found ceramics and stone tools is the very ground where our forebears' bones were scattered and collected as gruesome trophies. Mr. Selota concluded with a heavy heart that "our ancestral sacred sites are sporting grounds and nobody cares about them". We fight to restore the right to ancestral worship and visits to ancestral graves, rights that were strictly forbidden. **2. The Forbidden Graves on Draailoop and Myngenoegen** This desecration is not history confined to one corner; it stains the entire Tabor cluster footprint. On Draailoop (430LS)—the very farm at the center of this application—Masalesa Washington Selabe confirmed that his father and grandmother's tombstone still stands in the middle of the farm. His family was given the trek-pass and forced to leave without compensation, but the loss of residence leaves us with	with a 100m buffer in order to ensure that no desecration of human remains takes place. In other words, all identified grave sites within or near the project footprint, will be avoided and appropriately buffered. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	"the feeling of a loss of a real home". The idea that a vast solar plant might now fence off or build upon the location of that tombstone is a spiritual violation that echoes the original dispossession by Jan Haasbroek. Similarly, Ngwako Alpheus Mangweto and Puledi Martha Rangwedi confirmed that what is left of Myngenoegen (436LS) and Nooitgedacht (437LS) are "large patches of ruins and ancestral graves". The bitterness from the loss of rights and lack of access to ancestral sites are still felt by us and the descendants. The EIA, which seeks to authorize permanent industrial activity on this land for 25 to 30 years, will ensure that this lack of access is formalized and guaranteed for a full generation. We pleaded in 2003 for the government to return our ancestral land so "we can live, work, prosper and die in dignity. No more as paupers". The core of that dignity is the right to mourn and remember our dead, undisturbed.	
	PART II: THE HERITAGE IMPACT ASSESSMENT'S FAILURE The Heritage Impact Assessment (HIA, Appendix E4) for the Draailoop facility and implicitly for the cluster not only failed to protect our sacred heritage but actively disregarded the very process that would have revealed it. **A. The Insult of Dismissive Valuation and Exclusion of Living Heritage** The HIA focuses predominantly on static archaeological materials such (stone tools and ceramics). This focus is insufficient and reduces our profound history to mere objects.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was scheduled for 25 November 2025 in order to address this gap in the HIA. **RESPONSE FROM EAP** We acknowledge your view that the current focus on static archaeological materials, such as stone tools and ceramics, does not adequately reflect the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The greatest insult, Mr. Holder, is the statement included in the EIR that the area "has insufficient value to warrant formal protection". • How can the land containing ploughed over and desecrated graves, the site of forced removal, and the visible tombstone of a claimant's ancestor be deemed of "insufficient value"? • This conclusion, reached without participatory validation from the Chatleka CPA, repeats the historical denial of our cultural worth. It is a decision that violates post apartheid heritage ethics and the very notion of restorative justice. • The HIA fails to assess the living cultural landscape, including sacred sites and intangible cultural values associated with the area. This omission directly contravenes the requirement to consider "places to which oral traditions are attached or which are associated with living heritage".	depth and significance of your community's living heritage and cultural landscape. We understand that heritage is not limited to physical artifacts but encompasses intangible cultural values, traditions, and historical narratives that are integral to identity and belonging. These concerns will be addressed in much further detail during the preparation of the Heritage Conservation Management Plan that will be prepared in consultation with the CPA and Community Elders after the environmental process has been completed.
	B. Procedural Exclusion of the Custodians The Heritage Impact Assessment is procedurally defective because it actively excluded the CPA, the custodians and mandated land claimants. • The HIA notes no direct engagement with the Chatleka CPA or other affected claimant communities, despite explicitly acknowledging the active restitution claims. • The EAP relied on an alleged verbal directive from the RLCC "not to engage directly with the claimants at this	**RESPONSE FROM HERITAGE SPECIALIST** Engagement was sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session took place on 25 November 2025 in order to address this gap in the HIA. A revised HIA has been prepared and will be provided to the CPA for consideration.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	stage", using this as a justification to bypass engagement mandated by heritage and environmental laws. This procedural exclusion rendered the heritage assessment invalid. • The CPA was not involved in fieldwork or in the review of findings. Myself and other elders were denied the opportunity to walk the land with the specialists, pointing out the precise location of the granite koppies—identified as containing possible burial sites—or confirming the location of Masalesa Washington Selabe's family gravesite.	
	C. Incomplete Protection and the Risk of Future Desecration The HIA's recommendations are cosmetic at best and dangerously vague at worst, ensuring that if construction proceeds, the heritage trauma will continue. • Absence of Verified Maps: Although the HIA recommends that "no development take place within or on the granite koppies", the EIR does not include a verified layout map confirming the exact exclusion zones. Without clear, mapped boundaries, we cannot trust that the construction crews will not encroach upon these sensitive areas, repeating the desecration witnessed on Ladybrand and elsewhere. • Missing Conservation Management Plan (CMP): The HIA recommends the preparation of a CMP, yet the report does not confirm that this essential protective measure has been drafted, adopted, or reviewed. Proceeding without a binding CMP in place violates the	**RESPONSE FROM HERITAGE SPECIALIST.** Maps included in the HIA confirm that no infrastructure is proposed for the granite koppies that have high levels of heritage value. It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	precautionary principle and exposes the developer to non compliance with heritage protection obligations. • Failure to Integrate Restitution: The HIA makes no reference to the Restitution of Land Rights Act or the existence of active land claims. This fundamental omission decontextualizes the land's heritage from the history of dispossession. The cultural and spiritual significance of the land is inextricably linked to the fact that we were forcibly removed from it, and now seek to restore our cultural sovereignty.	
	D. The Cumulative Cultural Wall The heritage impact must be viewed cumulatively across the Tabor Solar Cluster (Draailoop, Bethel, Klipput, and Makoppa). • The collective footprint of over 1,000 hectares represents a massive transformation of the cultural landscape. • Your HIA treats solar PV projects in isolation, failing to assess the cumulative loss of heritage landscape integrity across the cluster. The demarcation of these lands is an apartheid and colonial artefact foreign to our historic way of live. If all four projects are approved, the land claim area will be surrounded and saturated, creating a "Wall of Glass" that permanently barricades our people from the continuity of their ancestral inheritance.	**RESPONSE FROM HERITAGE SPECIALIST.** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	PART III: WHY THE SIA AND EIR ENABLE THE HERITAGE INJUSTICE The defects in the Heritage Impact Assessment are not standalone errors; they are enabled by the procedural and legal failures embedded in the main EIR and SIA documents. **1. Exclusion of Restitution as the Central Social Constraint** The Social Impact Assessment (SIA, Appendix E7) explicitly states that "It is beyond the scope of the SIA to assess or comment on the status of the land claims". • This disclaimer eliminates the central legal, spiritual, and social constraint on the project. The psychological blow of seeing ancestral land—the land where graves were desecrated—turned into an industrial zone just as we reclaim it is a High Negative impact. • The SIA failed to assess the psychological and historical impacts of another development imposed on land under claim. It ignores the bitterness and frustration felt by the community, which resulted from the loss of access to ancestral sites.	**RESPONSE FROM SOCIAL SPECIALIST** The asserted dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim. The loss of the land and "bitterness and frustration felt by the community, which resulted from the loss of access to ancestral sites" are therefore not the result of the proposed Tabour PV Cluster project. The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The focus of the SIA is therefore on the site and the surrounding areas as per accepted best practice. In terms of the land claims the SIA notes that the Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for all 5 properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. If the claims are successful, the developers of the proposed Tabour PV Cluster project, will be required to engage with the new landowners.
	2. The Final Act of Prejudice – Foreclosing Future Rights	**RESPONSE FROM APPLICANT**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The EIR's assertion that "Prior consent is not required from the Claimants" allows this heritage destruction to proceed. • By authorizing a 25- to 30-year industrial project, the DFFE would be irreversibly sterilizing the land. This pre-empts the restitution outcome and prevents us from exercising our full land use rights. • We assert our constitutional right to determine land use, including ancestral worship. The proposed mitigation—"to engage... and negotiate an option to lease"—is a fait accompli. It guarantees that if we win the claim, we will inherit a security gate and a commercial contract, not our cultural sovereignty or the ability to freely tend to our ancestral graves.	The land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development who have been fully informed of this process and the planned activities on site, and who have not raised any objection to the proposal. The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for proposed renewable energy development. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	PART IV: THE ELDER'S DEMAND – RESTORING DIGNITY AND CULTURAL CONTINUITY I have lived through dispossession and worked for decades for redress. I implore you, Mr. Holder (EAP), Mulilo, DFFE and RLCC Limpopo, to halt this process immediately. We will not allow the memory of our ancestors—those whose skulls were sought as souvenirs, whose graves were scattered, and whose right to mourn was forbidden—to be dismissed as a minor risk. The bitterness by our ancestors and the harsh treatment endured through the loss of rights to keep cattle crop production lack of access to ancestral sites are still felt by us and the descendants. We demand that the following actions be taken to prevent the repetition and perpetuation of historical injustice: **1. Immediate and Permanent Suspension:** Suspend the entire EIA process for the Tabor Cluster projects immediately. This suspension must last until the status of the land claims is definitively resolved and, crucially, until Free, Prior, and Informed Consent (FPIC) is obtained from the Chatleka CPA and other affected claimant communities. **2. Withdrawal and Participatory Revision:** Withdraw the current Heritage Impact Assessment (Appendix E4) and Social Impact Assessment (Appendix E7). We demand a Supplementary Heritage and Restitution Impact Addendum that:	**RESPONSE FROM THE HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was scheduled for 25 November 2025 in order to address this gap in the HIA. It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process. It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project. **RESPONSE FROM APPLICANT** The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Incorporates Oral History and Living Heritage, engaging directly with CPA elders to document sacred sites, oral traditions, and ancestral graves. • Involves the Chatleka CPA in defining and valuing the cultural significance of the land. **3. Guaranteed Protection for Ancestral Sites:** Map and disclose all identified heritage sites (koppies, burial grounds, archaeological features) in consultation with the CPA. We require a binding Conservation Management Plan (CMP) developed with the CPA and approved by heritage authorities prior to any future construction. **4. End the Exclusion:** The EAP must disclose all correspondence regarding the alleged instruction from the RLCC "not to engage directly with the claimants" and initiate structured, inclusive public engagement in an accessible venue like Banderlierkop or at our farms. We are not resisting progress; we are insisting on justice. We ask you to appeal to the highest ideal of South Africa's Constitution: that the dignity lost in the past is restored, not permanently buried under a wall of glass and steel. We await your urgent written confirmation that this heartfelt appeal and detailed objection will lead to the suspension of the process.	However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development. The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
25/11/2025 Via Email Chatleka CPA Motz Ntimo - Chatleka Communal Property Association	I hereby submitted the attached letter of objection to the heritage impact assessment report by Chatleka Elder - Mr Ngwako Seima. We ask that this objection be officially acknowledged and recorded.	The letter attached in the email of 25/11/2025 is responded to in the sections above. All objections received area formally recorded and responded to in this Comments and Responses Report which is included as Appendix F2 to the Final Environmental Impact Report which is submitted to the competent authority for consideration and decision making.
24/11/2025 Via Letter Chatleka CPA Mr Dipodumo K. Mailula – Treasurer & Executive Committee Member - Chatleka Communal Property Association	**OBJECTION TO THE PROPOSED TABOR SOLAR PV CLUSTER (DRAAILOOP SOLAR PV, MAKOPPA SOLAR PV, KLIPPUT SOLAR PV, BETHEL SOLAR PV, AND GRID INFRASTRUCTURE)** 1.1 My name is Dipodumo Mailula. I serve as the Treasurer of the Chatleka Communal Property Association (CPA). I write this objection not merely as an administrator of our community's assets, nor solely in my capacity as a member of the Executive Committee. I hereby make this submission to you most importantly as am a direct descendent of the Originally Dispossessed Individuals, who were forcefully removed from Draailoop farm sometime after the 19th of June 1913. I am a custodian of my people's future, and a financial officer who refuses to see the most valuable asset of the Chatleka people—our ancestral land—devalued and sterilized before it is even returned to our hands.	Please refer to the response below to each individual point stipulated in the objection letter received on 24/11/2025. **RESPONSE FROM APPLICANT:** Response to paragraph 1.1 of the Chatleka Communal Property Association's Treasurer's comments. We note and acknowledge your position as Treasurer of the Chatleka Communal Property Association ("Chatleka CPA"), as a member of that CPA's executive committee and as a direct descendant of the people who were forcefully removed from Draailoop Farm during the course of the 20th century. Whilst we note and sympathise with the impact on the Chatekla community of the shameful legacy of forced removals in South Africa before this country's liberation in 1994, we dispute that your ancestral land will be "devalued and sterilised before it is even returned to our hands", as you put it. Assuming for the moment that the land in question is restored to the Chatleka people in the fullness of time after a procedurally and substantively lawful decision-making process that complies with the requirements of the Constitution

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	1.2 While I possess a legal background, I am not writing this objection as the hired legal representative of the CPA, but as a leader who understands both the statutes that govern this land and the tears that have watered it. The Chatleka people, along with other neighbouring CPAs, stand on the precipice of a historic victory: the restitution of the lands taken from our forebears. 1.3 However, we now face a new threat. It does not come in the form of forced removals or apartheid police vans, but in the glossy pages of an Environmental Impact Assessment (EIA) and the silent encroachment of multinational energy consortiums. The proposed Tabor Solar PV Cluster represents a fundamental conflict between the Constitutional promise of Restitution and the administrative machinery of Development. 1.4 This document serves as the Chatleka CPA's formal, unequivocal **OBJECTION** to the granting of Environmental Authorisation (EA) for these projects. We assert that the process followed to date is legally defective, economically prejudicial, and socially insensitive.	of the Republic of South Africa Act 108 of 1995 ("the Constitution") read with the Restitution of Land Rights Act 22 of 1994 ("the Restitution Act") and the Promotion of Administrative Justice Act 3 of 2000 ("PAJA"), an approved proposal to develop solar PV facilities and grid infrastructure on that land will in all reasonable likelihood entail significant economic benefit to the Chatleka community. Response to paragraph 1.2 We acknowledge the contents of your paragraph 1.2. We (the applicant for environmental authorisation ("EA")) support the principle of land restitution as a constitutional imperative in South Africa's constitutional democracy. Response to paragraph 1.3 We dispute that what you refer to as the "glossy pages of an EIA and the silent encroachment of multinational energy consortiums" should be seen or perceived as a threat. To the contrary, and if the proposed project achieves the suite of statutory approvals required in order to construct and operate it, it is likely to constitute a significant and on-going economic benefit to the Chatekla community during the tenure of the facility's operation. Response to paragraph 1.4 We acknowledge the Chatleka CPA's objection but dispute that the scoping and environmental impact assessment process followed to date is "legally defective, economically prejudicial, and socially insensitive" as you would have it.
	2. LOCUS STANDI: THE MYTH OF THE "INTERESTED PARTY"	**RESPONSE FROM APPLICANT** It is not correct to imply, as you do, that a CPA enjoys some form of preferential status as an interested and affected party in the context of a statutory

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2.1 The Environmental Assessment Practitioner (EAP) has categorized the Chatleka CPA (and other affected neighbouring CPA's) merely as an "Interested and Affected Party" (I&AP), placing us in the same administrative basket as a distant neighbour concerned about dust or traffic. This categorization is a fundamental error in law.	environmental assessment process. Neither the National Environmental Management Act 107 of 1998 ("NEMA") nor the NEMA EIA Regulations, 2014 distinguish between categories of interested and affected parties. The definition of 'interested and affected party' in NEMA is as follows: "… for the purposes of Chapter 5 and in relation to the assessment of the environmental impact of a listed activity or related activity, means an interested and affected party contemplated in section 24(4)(a)(v), and which includes – (a) any person, group of persons or organisation interested in or affected by such operation or activity; and (b) any organ of state that may have jurisdiction over any aspect of the operation or activity; …". The NEMA EIA Regulations, 2014 define the expression 'registered interested and affected party' as follows: "… in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42." **RESPONSE FROM THE EAP:** Based on the principles of NEMA, it is neither legally sound nor ethically acceptable to treat I&APs differently based on the nature of their stake in a project. These principles require inclusive participation and **ALL** I&APs must be given equal opportunity to participate in decision-making processes. ALL I&AP's regardless of their interest or how they may be affected by the proposed project have the right to meaningfully participate in the process and also have the responsibility to declare any direct or indirect interests in the proposed activity.
	2.2 The lands in question—including the Remaining Extent of Farm 431, Portion 1 of Farm 425, and others—are legally	**RESPONSE FROM APPLICANT**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Gazetted under Section 11(1) of the Restitution of Land Rights Act 22 of 1994 ("the Restitution Act").	We note the contents of your paragraph 2.2. The fact that the immovable properties that you described in the paragraph to which this response relates are gazetted in terms of section 11 of the Restitution Act does not derogate from the applicant's statutory right to pursue an application for EA in terms of NEMA and the EIA Regulations, 2-014.
	2.3 Once that Gazette notice was published, the legal character of the land changed. It ceased to be private farmland in the traditional sense. It became res litigiosa—property subject to a legal dispute involving the State. The Chatleka CPA is therefore not a "neighbour"; we are the Inchoate Owner. We are the owners-in-waiting. Our rights to this land are not hypothetical; they are statutory rights currently being processed by the Commission.	**RESPONSE FROM APPLICANT** We respectfully dispute that once the notice was published in the Gazette, the legal character of the land changed. The land is and remains registered in the relevant Deeds Registry in the name of the present owner. There cannot be a suggestion of *"statutory rights currently being processed …":* the question of whether one has a Constitutional property right to immovable property (or not) is a question of fact. The reference to the Restitution of Land Rights does not have any bearing on the Public Participation Process as it does not relate to any environmental issues. It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process.
	2.4 Any administrative decision taken by the DFFE that ignores this status, or that treats our rights as secondary to the commercial interests of the Developer (Mulilo Renewable energies – majority owned by Copenhagen Infrastructure Partners), constitutes a reviewable irregularity under the Promotion of Administrative Justice Act (PAJA). You cannot grant	**RESPONSE FROM APPLICANT** We respectfully dispute that an administrative decision by the Department of Forestry, Fisheries and the Environment ("DFFE") (and specifically, by the Chief Director: Integrated Environmental Authorisations ("the Chief Director") as the decision-maker of first instance) would fall to be dealt with in the first instance as a review ground under PAJA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	a license to alter property without the substantive concurrence of the entity standing in line to receive that property.	Any asserted and demonstrable procedural or substantive irregularity by the Chief Director would first be the subject of an administrative appeal delivered in accordance with the requirements of section 43 of NEMA read together with the National Appeal Regulations, 2025. It follows that we dispute your assertion that DFFE's Chief Director cannot grant an authorisation absent the substantive concurrence of an entity *"standing in line to receive that property"* as you put it.
	3. GROUND ONE: THE STATUTORY BLOCKADE (SECTION 11(7)) 3.1 As a person trained in law, I must direct the Competent Authority's attention to the supreme applicability of the Restitution Act. Section 11(7) of the Act is legally binding, not merely suggestive.	**<u>RESPONSE FROM APPLICANT</u>** We respectfully point out that on 10 June 2025 the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights addressed a letter to the applicant for EA. A copy of that letter is included in Appendix G1d of the EIR. The Office of the Regional Land Claims Commissioner: Limpopo's Director: Quality Assurance and Administration's letter represents the most recent communication from the Land Claims Department. That letter confirms that there are certain pending land claims in respect of the subject-properties, including one lodged for and on behalf of the Chatleka CPA with the Commission on Restitution of Land Rights. The applicant for EA specifically acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that there is any intention by the present landowner to dispose of, sell or lease the subject-property. To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated).
	3.2 Section 11(7)(a) and (Aa) respectively stipulates that – (a) "*no person may in an improper manner obstruct the passage of the claim*;" (Aa)"*Once a notice has been published in respect of any land: "No person may... sell, exchange, donate, lease, subdivide, rezone or develop the land in question without having given the Regional Land Claims Commissioner one month's written notice of his or her intention to do so..."*	**RESPONSE FROM APPLICANT** We respectfully dispute that the EAP, the applicant for EA, or any other natural or juristic person involved in the proposed solar project is obstructing the passage of the Chatleka CPA's land rights claim. We furthermore point out that no formal lease agreement has been concluded with any of the current landowners and the EAP has confirmed on behalf of the applicant for EA and in response to your paragraph 3.1) that the applicant specifically notes the contents of the penultimate paragraph of the Land Claims Department's letter dated 10 June 2025.
	3.3 In contravention of Section 11(7)(a) mentioned above, yourself in person, your entity and all juristic persons, including natural persons involved in the solar project in question herein, are improperly obstructing the passage of our land rights claim.	**RESPONSE FROM APPLICANT** Attached in Appendix G1d is a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights. We reiterate that the applicant for EA acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that there is any intention by the present landowner to dispose of, sell or lease the subject-property. To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated).
	3.4 Considering Section 11(7)(Aa), the concept of "develop" in this section is broad. It encompasses any activity that changes the nature or value of the land. Applying for an Environmental Authorisation to cover hundreds of hectares with photovoltaic infrastructure is, by definition, a development step. Furthermore, the signing of long-term lease options between the current landowners and the Developer constitutes a "lease" and an "encumbrance" prohibited by the Act without Commissioner consent.	**RESPONSE FROM APPLICANT** We respectfully dispute your assertion that the applicant is obliged to produce a letter of no objection from the Regional Land Claims Commissioner at this juncture. Any EA granted by DFFE's Chief Director cannot be implemented absent the applicant's achievement of the required approvals under all other and relevant statutory requirements. The applicant acknowledges that the EIA report is a step towards an EA however the EA itself does not alter the nature of the land. The lease will be tied to the land and will be transferred to the new owner in the event of a change in ownership along with any assets on the land. The applicant reiterates that they are willing to engage with the CPA to discuss the projects in the event that the CPA is willing to engage.
	3.5 **Our Challenge**: We challenge the EAP and the Developer to produce, for the public record, the proof of compliance with Section 11(7). Where is the written notice to the Regional Land Claims Commissioner (RLCC)? More importantly, where is the RLCC's response? 3.6 Unless the Developer can produce a "Letter of No Objection" from the RLCC, this entire EIA process is fruit from a poisonous tree. It is proceeding in violation of a statutory embargo. The DFFE cannot validly grant an environmental authorization for an activity that is statutorily prohibited by a parallel Act of Parliament.	**RESPONSE FROM APPLICANT** Attached in Appendix G1d is a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The Restitution Act serves a Constitutional purpose (Redress) which sits higher on the normative hierarchy than the NEMA principles of commercial development.	
	4. GROUND TWO: ECONOMIC STERILIZATION AND ASSET VALUE 4.1 As the Treasurer of the CPA, my primary fiduciary duty is to protect the value of the community's assets. The restitution process is not just about returning soil; it is about transferring an economic base to a dispossessed people. 4.2 The proposed solar development represents the **sterilization** of this economic base. • **Duration:** These projects have a lifespan of 20 to 25 years, often with extension options. • **Physical Reality:** The project involves driving thousands of pylons into the ground, pouring concrete for inverters and battery storage systems (BESS), and erecting high-security fencing. • **Exclusion:** Once built, the land is inaccessible. Human habitation is illegal within the footprint due to health and safety regulations. Livestock grazing is either prohibited or severely restricted to "sheep only" management by the operator, not the landowner.	**RESPONSE FROM APPLICANT** As already explained in this response, the likely socio-economic benefits that would flow to the Chatleka CPA (on the assumption that the latter CPA's land claim is successful, and the applicant's application for an EA is approved (and all other statutory approvals and consents are obtained)) are significant, and will entail a positive economic contribution to the members of the Chatleka CPA. It is unlikely that the entire physical extent of the subject-property would be *"covered in glass panels under a lease signed by the previous owner"* as you put it. There can be no suggestion that (on the assumption that the Chatleka CPA achieves its restitution imperative) that it will not benefit as the successor-in-title to the present owner and as such, by stepping into the shoes of the latter as the lessor of the immovable property upon which the solar PV facility and ancillary infrastructure would be established if authorised. The applicant appreciates the CPA's Treasurer's focus on protecting potential community assets and acknowledge the importance of ensuring that any future land restitution delivers genuine economic benefits to claimant communities. The applicant understands the concerns raised regarding land use restrictions. However, it is important to consider the full economic picture. Should the land claim be successful and the CPA and its members become the collective landowner in future, renewable energy projects can provide substantial and sustained economic value as follows: Potential Economic Benefits:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		- Long-term, stable rental income over the project lifespan, providing financial security and predictable revenue streams for a landowner - Upfront and ongoing job creation during construction and operational phases, with skills development opportunities for community members - Enterprise development opportunities for local SMMEs in construction, maintenance, and support services - Community benefit contributions - Important Note on Land Ownership Change: Should land ownership transfer to the CPA during the project's lifespan, there would be an opportunity to renegotiate the terms of the lease agreement to ensure it reflects the community's interests and priorities. <u>Land Use Considerations:</u> While the development does occupy land during its operational period, it's important to note that solar developments are not permanent infrastructure. At decommissioning, the land can be restored for alternative uses. Additionally, the rental income generated can fund agricultural or other economic activities on adjacent or alternative land.
	4.3 If the Chatleka CPA receives the title deed in two years' time, but the land is covered in glass panels under a lease signed by the previous owner, what exactly have we "won"? We have won a title deed, but we have lost the use of the land. We cannot farm it. We cannot build homes on it. We cannot visit the graves of our ancestors without signing in at a security gate run by a private company.	**<u>RESPONSE FROM APPLICANT</u>** Regarding Access and Cultural Heritage: The applicant wants to specifically address the concern about access to ancestral graves, which is of deep cultural and spiritual importance. The applicant is committed to ensuring that access to graves and cultural heritage sites will not be hindered during construction or operations. This will be formalized through access agreements that allow community members to visit without unreasonable restrictions, regardless of the ownership scenario.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	4.4 This constitutes a de facto expropriation of our restitution award. It turns the Chatleka community into passive rent-collectors on our own land, dependent on a lease agreement we did not negotiate, at rates we did not set. This is not economic empowerment; it is economic paternalism.	**RESPONSE FROM APPLICANT** The current lease agreement was negotiated with the existing landowner in accordance with applicable laws and property rights. Should ownership of the land change before construction begins, the new owner would have the opportunity to negotiate terms directly as the landowner, setting rates and conditions that reflect the community's economic priorities. If ownership transfers after the project becomes operational, the new owner will inherit an income-generating asset that provides stable, long-term revenue without the capital investment or operational risk typically associated with such developments. The new owner can then renegotiate the terms of the agreement. It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process.
	4.5 The Developer will argue that the solar farm increases the land's value. I dispute this. It increases the land's yield for the shareholder of the solar company. For the CPA, it locks the asset into a single-use state for a generation. It removes the "Option Value" of the land. As Treasurer, I cannot advise my community to accept a situation where our primary asset is frozen in time until the year 2050.	**RESPONSE FROM APPLICANT** The decision about whether this trade-off aligns with the community's economic strategy is ultimately one for the CPA to make should they become the landowner. At present, this remains a decision for the current landowner and the outcome of the land claims process.
	5. GROUND THREE: THE DEFECTIVE SOCIAL IMPACT ASSESSMENT (SIA). 5.1 I have reviewed the Social Impact Assessment (SIA) and the Heritage Impact Assessment reports prepared for the Draailoop,	**RESPONSE FROM APPLICANT** We dispute your assertion that the social impact assessment ("SIA") is legally defective.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Bethel, Makoppa and Klipput projects. To be blunt, I find them insulting to the intelligence and history of the Chatleka people. 5.2 The SIA characterizes the social impact of the project as "Low Negative" or "Neutral." This conclusion is reached by focusing entirely on "jobs created" versus "loss of agricultural land." It fails to account for the specific, traumatic context of Restitution.	As already pointed out, the grant of the restitution claim would have the effect that the Chatleka CPA would become the registered owner of the subject-properties restored to it and as such, the CPA (and more importantly, the members of the Chatleka CPA) would be the economic beneficiaries of the lease. **RESPONSE FROM SOCIAL SPECIALIST** The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The traumatic impacts associated with the loss of land inform the land claim process. The dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim.
	5.3 For a community that was forcibly removed, the act of seeing their ancestral land turned into an industrial zone just as we are about to reclaim it is a High Negative impact. It is a psychological blow. It sends the message that the land is valuable for electricity for the national grid, but not valuable for the settlement of Black people.	**RESPONSE FROM APPLICANT** As already pointed out, the grant of the restitution claim would have the effect that the Chatleka CPA would become the registered owner of the subject-properties restored to it and as such, the CPA (and more importantly, the members of the Chatleka CPA) would be the economic beneficiaries of the lease.
	5.4 The SIA methodology is flawed because it fails to assess the **Opportunity Cost** to the Claimants. • The report asks: What is the impact on the current white farmer? (Answer: He gets rich from the lease).	**RESPONSE FROM SOCIAL SPECIALIST** An assessment of "lost economic opportunity for the Chatleka CPA and other affected CPA's if they are prevented from developing their own high-intensity

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• The report asks: What is the impact on the national grid? (Answer: More power). • The report fails to ask: What is the lost economic opportunity for the Chatleka CPA and other affected CPA's if they are prevented from developing their own high-intensity agriculture or mixed-use housing on this land?	agriculture or mixed-use housing on this land" would assume a successful land claim. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. In this regard the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The SIA also notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo, and that the land claimants must be consulted where application for permission is contemplated. If the claims are successful, the developers of the proposed Tabour PV Cluster project, will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss opportunity to combine the proposed PV SEF development with other land uses, including high-intensity agriculture or mixed-use housing.
	5.5 By ignoring the "Inchoate Owner," the SIA is legally defective. It violates NEMA's requirement to assess the "social and economic impact" on all affected parties. You cannot assess the impact on the owner if you fail to identify who the future owner is.	
	6. GROUND FOUR: PROCEDURAL DEFECTS – THE REGULATION 39 CONSENT 6.1 I wish to raise a strict procedural objection in terms of Regulation 39(1) of the EIA Regulations (2014). This regulation requires the applicant to obtain the written consent of the "landowner."	**RESPONSE FROM APPLICANT** With respect, your submission to the effect that there is more than one landowner at present is legally untenable. The title deed is registered in the present landowner's name and it will only be upon the successful completion of a land restitution claim by the Chatleka CPA in terms of the Constitution read with the Restitution Act that ownership of the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		immovable property that is the subject of the restitution claim will be transferred to the latter CPA. **RESPONSE FROM EAP:** Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the landowner and attached as Appendix G2 to the Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as **Strategic Integrated Projects.** Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. Notwithstanding the above, consent was obtained from the landowner and is included in the EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	6.2 The Developer has provided consent forms signed by the current title deed holders. I submit that this is legally insufficient. • In the context of land reform, ownership is a composite concept. The "bundle of rights" is split between the Title Holder and the State (via the Commission acting for the Claimants). • Because the land is Gazetted, the Title Holder does not have full dominion. He cannot act unilaterally. • Therefore, "Landowner Consent" in this context requires a tripartite consensus: The Title Holder, the Regional Land Claims Commissioner, and the Claimant Community.	**RESPONSE FROM APPLICANT** In terms regulation 39 of the 2014 EIA regulations as amended, the proponent must obtain written consent from the landowner or person in control of the land. Although the land claim is acknowledged in this EIA process, until the finalisation of the restitution process is concluded, the current title holder remains the landowner. At the time of facilitation this Environmental Process, the CPA is neither the landowner nor the person in control of the land and as such consent is not required in terms of regulation 39.
	6.3 Without the written concurrence of the RLCC, the Regulation 39 consent is only 50% complete. The EAP cannot legally submit the Final Environmental Impact Report (FEIR) to the Department based on partial consent. We demand that the DFFE rejects the application on this technicality alone.	Section 11(7) of the Restitution of Land Rights Act (RLRA, Act 22 of 1994) provides that once a notice of has been published in respect of any land – (aA) no person may sell, exchange, donate, lease, subdivide, rezone or develop the land in question without having given the regional land claims commissioner one months written notice of his or her intention to do so. Please refer to Appendix G1c of the Final Environmental Impact Report (as withdrawn) and the Revised Draft Environmental Impact Report for correspondence from the Office of the Regional Land Claims Commissioner confirming that the Applicant has complied with Section 11(7)(aA) of the RLRA and that they have no objection continuation of the environmental process. It is important to note that regardless of the outcome of the environmental application process, there are numerous other legislative processes that will need to be concluded before activities outlined in this provision can take place. **RESPONSE FROM APPLICANT**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Included in Appendix G1d is a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights. We reiterate that the applicant for EA acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that there is any intention by the present landowner to dispose of, sell or lease the subject-property. To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated).
	7. GROUND FIVE: NEED AND DESIRABILITY – THE MISPLACEMENT OF INFRASTRUCTURE 7.1 Section 24O of NEMA mandates the consideration of "Need and Desirability." The Developer relies heavily on the Integrated Resource Plan (IRP) to prove the "Need" for electricity. We do not dispute that South Africa needs power. 7.2 However, we vehemently dispute the Desirability of placing this infrastructure on Restitution Land. • South Africa is vast. There are millions of hectares of land in the Northern Cape and Limpopo that are not subject to active, gazetted land claims.	**RESPONSE FROM APPLICANT** Attached in Appendix G1d is a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights. We reiterate that the applicant for EA acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that there is any intention by the present landowner to dispose of, sell or lease the subject-property.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• It is bad planning policy to situate permanent, heavy infrastructure on land that is currently the subject of a sensitive socio-political transfer process. • Approving this project guarantees conflict. It ensures that the moment the land transfer occurs, the CPA and the Solar Operator will be at loggerheads regarding access, rental rates, and benefit sharing. 7.3 Is it "desirable" to saddle a newly restored community with a 25-year legal battle against an energy giant? Is it "desirable" to use land earmarked for historical redress as a battery park? The answer, from a socio-economic justice perspective, is clearly No.	To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated). The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so. The selection of the site is driven by many factors, including accessibility to the grid, capacity of the grid, solar resource etc. Details regarding the site selection process is included in the EIR in section 2.10 of the report.
	8. GROUND SIX: CUMULATIVE IMPACT AND THE "WALL OF GLASS"	**RESPONSE FROM APPLICANT** We respectfully submit that the cumulative impact of the Tabor solar PV cluster is appropriately assessed and reported on in the environmental assessment and reporting thereon as undertaken to date, and that your comments regarding

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	8.1 We are alarmed by the scale of the "Tabor Cluster." We are looking at Draailoop, Makoppa, Klipput, Bethel, and potentially others. 8.2 When viewed individually, the EAP argues the impact is manageable. But as a community leader, I look at the map of our claim, and I see a "Cumulative Impact" that is devastating. 8.3 If all these projects are approved, the cumulative effect is the total saturation of the Moeketsi agricultural belt. There will be no arable land left for the CPA to farm. We will receive a patchwork of title deeds for land that is effectively inaccessible. 8.4 The EIA fails to adequately assess this cumulative "crowding out" of restitution. It creates a "Wall of Glass" that effectively barricades the Chatleka people and other affected communities out of their own inheritance.	cumulative impact will be taken into account in the context of the EAP's responses (and those of the relevant specialists) to the comments received at this stage of the environmental assessment process. **RESPONSE FROM EAP** The assessment of cumulative impacts in section 6.11 of the EIR. This assessment (which included input from all relevant specialists) found that the cumulative impacts range from Medium negative to High positive and no High and very High cumulative impacts are expected. This is considered to be acceptable on a regional scale. Due to the limited capacity Grid Capacity and the highly competitive bid process, it is a reasonable assumption that not all the projects in the area will be developed.
	9. THE DUAL RIGHTS DILEMMA: A WARNING ON FPIC 9.1 While South African law is still catching up to international standards on Free, Prior and Informed Consent (FPIC), the direction of our jurisprudence—specifically the Xolobeni (Baleni) judgment and the IPILRA framework—is clear. You cannot radically alter the nature of land use without the consent of the community that holds informal or customary rights to that land. 9.2 The Chatleka CPA asserts its customary and statutory rights to this land. We are not passive observers. We explicitly withhold our consent for this development in its current form. 9.3 The Developer is attempting to bypass this "Dual Rights Dilemma" by rushing the EA through while the title deed is still in	**RESPONSE FROM APPLICANT** The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land. However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the hands of the white farmers. This is a cynical strategy. It attempts to present the CPA with a fait accompli—a done deal. We warn the DFFE that such a strategy invites urgent interdictory relief from the Land Claims Court.	The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. For the Chatleka CPA to assert an explicit withholding of its consent for the proposed development is to pre-judge the outcome of the environmental assessment process. That is inimical to the procedural and substantive safeguards in the environmental assessment process.
	10. STRATEGIC DEMANDS AND REMEDY SOUGHT In light of the serious legal and economic prejudices outlined above, the Chatleka CPA makes the following formal demands: **a) Immediate Suspension of the EIA Process** We request that the DFFE suspends the adjudication of the Tabor Solar PV Cluster applications immediately. The process cannot proceed until the Section 11(7) RLRA non-compliance is rectified. We require a formal ruling from the Regional Land Claims Commissioner on whether this development constitutes an "improper obstruction" of our claim. **b) A New, Specialized "Restitution Impact Assessment"** We reject the current Social Impact Assessment and Heritage Impact Assessment studies. We demand that the Scope of Work be expanded to nclude a specialized "Restitution Impact	The Competent Authority, DFFE, does not have the legislative mandate to suspend adjudication of the environmental applications and can only grant or refuse authorisation of the activities applied for. Please note that there in not a Section11(7) RLRA non-compliance. Kindly refer to Appendix G1c (as appended to both the Final Environmental Impact Report and the Revised Draft Environmental Impact Report) for correspondence from the Office of the Regional Land Claims Commissioner confirming that the Applicant has complied with Section 11(7)(aA) of the RLRA and that they have no objection continuation of the environmental process. **RESPONSE FROM APPLICANT** We respectfully submit that the Chatleka CPA's four formal demands in this part of the CPA's comments are untenable in the circumstances. There is no legal basis for asserting those demands and as such, they are unsubstantiated and unenforceable.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Assessment" conducted by an independent specialist agreed upon by the CPA. This study must: • Quantify the financial "Opportunity Cost" to the CPA. • Assess the compatibility of the solar farm with the CPA's specific future land-use plans (agriculture/housing). • Analyze the lease or rental agreements currently in place. **c) Financial Transparency and Escrow** We demand full disclosure of the lease option agreements signed between the Developer and the current landowners. If the current landowners are receiving "Option Fees" or "Signature Bonuses" for encumbering land that rightfully belongs to us, this constitutes the dissipation of the asset. We demand that any revenue generated from these leases be paid into neutral and trusted account pending the finalization of the land claim. **d) Rejection of the Application** If the Developer refuses to engage with the CPA as a substantial Equity Partner (not merely a CSI beneficiary) and as the Landowner-in-Waiting, we submit that the "Social Impact" is fatally negative. In such a case, the DFFE is legally obliged to REFUSE the Environmental Authorisation in terms of Section 24 of NEMA, as the project violates the principles of environmental justice and equitable access to resources.	It is not within the Regional Land Claims Commissioner's statutory powers to rule on whether the proposed development constitutes what you refer to as an "improper obstruction" of the Chatleka CPA's land claim. We note your demand that the scope of work in the SIA study and the heritage impact assessment ("HIA") study be expanded to include what you refer to as a "restitution impact assessment". We respectfully submit that the existing SIA and HIA meet the legislated standards for such studies, with particular reference respectively to NEMA and to the National Heritage Resources Act 25 of 1999. We dispute that you are entitled to disclosure of the lease option agreements concluded between the current landowners and the applicant for EA. Finally, we dispute your submission that the social impact is "fatally negative", as you would have it, by virtue of your suggestion that the applicant is obliged to engage with the "CPA as a substantial Equity Partner (not merely a CSI beneficiary) and as the Landowner-in-Waiting". We furthermore deny your assertion that the DFFE is legally obliged to refuse the application for EA for the reasons you suggest. The option agreements between the applicant and the current landowners are private commercial contracts entered into between parties with the requisite capacity and legal standing. These agreements were negotiated in accordance with applicable property laws and the existing ownership structure. It's important to note that neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights, nor to interfere with lawful commercial agreements between private parties. Such matters fall outside the scope of the environmental authorization process. **RESPONSE FROM SOCIAL SPECIALIST.**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. An assessment of "Opportunity Cost" to the CPA would assume a successful land claim. In the opinion of the SIA consultant a "Restitution Impact Assessment" would form part of the land claim process and not the EIA process. If the claims are successful, the developers of the proposed Tabour PV Cluster project, will be required to engage with the new landowners. These engagements would provide a forum to discuss opportunities to combine the proposed PV SEF development with other land uses, including high-intensity agriculture or mixed-use housing. This will include an assessment of potential "Opportunity Costs".
	11. CONCLUSION i. The Chatleka CPA is not anti-development. We understand the energy crisis facing our country. We are ready to be players in the green economy. But we will be **owners,** not spectators. We will be **partners**, not victims. ii. The days where developers could sign deals with commercial farmers in smoke-filled rooms, ignoring the black communities waiting at the gate, are over. The Gazette notice is our gate. You cannot pass it without us.	**RESPONSE FROM APPLICANT** We note that the Chatleka CPA seeks to be treated as an owner and partner in the green economy. To the extent that the application for EA is approved, and the Chatleka CPA becomes the recipient of a successful restitution, we submit that both of the imperatives you refer to in the conclusion to your comments on behalf of the CPA will be achieved.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	iii. We put the Department and the Developer on terms: Engage with the Chatleka CPA as the de facto owner of this land, or face a protracted legal challenge that will keep these projects in litigation for years. The choice between a sustainable partnership and a fatal flaw lies with you. iv. We await your written confirmation that this Objection has been noted, responded to and included in the Final Environmental Impact Report.	
24/11/2025 Via Email Chatleka CPA Mr Dipodumo K. Mailula – Treasurer & Executive Committee Member - Chatleka Communal Property Association	The above-matter refers. Herewith attached kindly find the Objection.	The letter appended in the email of 24/11/2025 is responded to in the section above.
23/11/2025 Via Email Chatleka CPA Motz Ntimo - Chatleka Communal Property Association	I received the following input from Another member of Chatleka CPA who reviewed the HIA report. I have loaded these on your website for records as well: The Heritage Impact Assessment reports for Makkoppa, Klipput, Bethel, and Draailoop demonstrate a reasonable effort to comply with the requirements of Section 38(8) of the National Heritage Resources Act and the integration provisions under NEMA. However, several critical gaps remain that compromise full compliance and best practice.	**RESPONSE FROM HERITAGE SPECIALIST** The HIAs drafted comply with the requirements of section 38(3) of the NHRA and have been updated to explicitly comply with the Appendix 6 regulations. Specialist declarations of independence have been provided to the EAP and will be submitted to DFFE. Tables are included in section 5.1 of the HIA that provide the matrix of impact assessment. Alternatives are discussed in section 5.3. The layout provided

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Firstly, the reports do not fully align with Appendix 6 of the EIA Regulations. While they provide impact assessments and mitigation measures, they lack explicit specialist declarations of independence and disclosure of potential conflicts of interest, which are mandatory under Appendix 6. There is also no clear matrix comparing alternatives in terms of heritage impacts, even though alternatives are mentioned in narrative form. Furthermore, the reports do not include a structured monitoring and reporting framework for heritage compliance during construction and operation phases, leaving enforcement and accountability unclear. Public participation is another area of weakness. Although the reports state that consultation will occur as part of the broader EIA process, they do not summarize heritage-specific stakeholder input or demonstrate how such feedback influenced the assessment. This omission undermines transparency and fails to meet the expectation of meaningful engagement on heritage matters. Management planning is insufficient. Each report recommends the development of a Conservation Management Plan for significant archaeological sites and burial grounds, yet none provides a draft or even an outline of its contents, timelines, or responsibilities. Similarly, while Chance Finds Procedures are mentioned, they are not detailed enough to ensure effective implementation. Clear steps, roles, and communication protocols for unexpected discoveries are missing. The treatment of intangible heritage is minimal. Beyond acknowledging burial grounds, the reports do not explore living	avoids impact to the known tangible heritage resources identified in the updated HIA. For heritage purposes, it is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project. Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was scheduled for 25 November 2025 in order to address this gap in the HIA. It is important to note that no I&AP's raised significant heritage issues until the Revised Draft EIR Stage (i.e. the third opportunity to provide input and engage as part of this process). All heritage specific comments and/or concerns are reflected in detail in the EIR. **RESPONSE FROM EAP** The cumulative impact assessments undertaken by all the relevant specialists, including the heritage specialist is summarised in section 6.11 of the EIR. The chance find procedure is detailed in the EMPR which is attached in appendix I of the EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	heritage or cultural practices associated with the landscape, nor do they reflect direct engagement with descendant communities or custodians of graves. This is a significant gap given the holistic definition of heritage under the NHRA. Data presentation also requires improvement. Although maps and coordinates are provided, some site descriptions lack sufficient detail for future verification, and photographic records are referenced but not fully integrated into the main reports. Additionally, cumulative impacts on the cultural landscape are acknowledged but not quantified or analyzed in a regional context, despite multiple solar projects being planned in the same area. In summary, while the reports meet the basic requirements of identification, grading, and mitigation, they fall short in demonstrating full compliance with statutory and best-practice standards. Strengthening these areas—through detailed management plans, robust public participation records, comprehensive monitoring frameworks, and deeper consideration of intangible heritage—would significantly improve the quality and defensibility of these assessments. Recommended Improvements Across All HIA Reports 1. Append CMP with: - Roles, timelines, and enforcement. - Access guarantees for graves. 2. Add Appendix 6 Compliance Matrix: - Specialist declaration, independence, limitations. - Alternatives comparison table.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	3. Enhance Public Participation Section: - Summarize heritage-specific feedback and responses. 4. Develop Monitoring & Reporting Plan: - Frequency, responsible parties, adaptive management triggers. 5. Expand Intangible Heritage Assessment: - Engage local communities and custodians. 6. Detail Chance Finds Protocol: - Step-by-step procedure, contact details, stop-work triggers. 7. Integrate Full Photographic Record into main report or annexure. 8. Quantify Cumulative Impacts: - Scenario-based analysis for multiple solar projects in the region.	
23/11/2025 Via Letter Chatleka CPA Motz Ntimo - Chatleka Communal Property Association	**Questions submitted by Chatleka CPA as part of the Public Participation Process for the EIA for the development of the Tabor Solar PV energy facilities near Banderlierkop, Limpopo** 1. The EIR cites contradictory correspondence from the RLCC, relying primarily on the 9 October 2024 letter stating "no claims exist," despite letters from 19 September 2024 and 10 June 2025 reaffirming that claims were lodged prior to 1998. How does the EAP justify relying on the single contradictory letter to infer that the RLCC has "cleared the project"?	Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to portray all three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo)[8]. The three Letters received from the RLCC – Limpopo are as follow: • 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

[8] Please note that all three of these comments were appended to both the Final EIR (as withdrawn) as well as the Revised Draft EIR that was made available to all I&AP's for review and comment.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous
</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>2. Given the clear inconsistencies in the RLCC correspondence, why did the EIR fail to flag the contradictory land claim status as a material legal risk to the project's feasibility, as required for transparent impact assessment?</td><td>Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
• 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>below as well as Appendix G1d attached the Final Environmental Impact Report.
<table><tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr><tr><td>Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr><tr><td></td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr><tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr><tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr><tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr><tr><td>Portion 1 of the farm Klipput 425 LS</td></tr></table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>3. If the RLCC cannot formally confirm the definitive status of claims in writing, will the EAP commit to suspending the EIA process immediately, as requested by the CPA, to rectify this legal uncertainty?</td><td>On 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>4. Will the EAP disclose all correspondence between Cape EAPrac, Mulilo Renewable Energy, and the RLCC relating to the status of claims and any alleged engagement restrictions, as requested by the CPA?</td><td>All correspondence between the Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), Mulilo Renewable Energy and Cape EAPrac relating to the status of claims and engagement recommendations have been included in the Revised Draft Environmental Impact Report as Appendix G1b, G1c, G1d and G1e which was subject to a 30-day public participation period from 07 November 2025 to 08 December 2025.</td></tr>
<tr><td></td><td>5. The EIR asserts that "Prior consent is not required from the Claimants". How does the EAP reconcile this assertion with the Restitution of Land Rights Act (RLRA) Section 6(2)(a), which explicitly prohibits acts that may “diminish or prejudice the rights of any claimant”?</td><td>Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – Activity on land owned by person other than proponent states -
• (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity,</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner (who is also the person in control of the land) and attached as Appendix G2 to the Final Environmental Impact Report. Notwithstanding the consent that was obtained. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects.
	6. How does the EAP justify treating the current Title Holder's consent as legally sufficient under Regulation 39(1) of the EIA Regulations, without the concurrence of the RLCC or the Inchoate Owner (the CPA), considering the land is Gazetted?	Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the landowner (who is also the person in control of the land)and attached as Appendix G2 to the Final Environmental Impact Report. As outlined above, the land claims process has

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		not been concluded and as such, in respect of the current application, the CPA is neither the "Landowner" nor the Person in control of the land.
	7. Will the EAP produce, for the public record, proof of compliance with RLRA Section 11(7), which requires giving the RLCC one month's written notice of the developer's intention to "develop the land" or "lease" the land?	On 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report[9].
	8. Considering the project's 25- to 30-year operational life, which constitutes irreversible sterilization of the land for a generation, how does the EAP ensure that the CPA will receive the true benefit of restoration once the land claim is finalized?	**RESPONSE FROM APPLICANT:** Whilst we note and sympathise with the impact on the Chatekla community of the shameful legacy of forced removals in South Africa before this country's liberation in 1994, we dispute the statement *"irreversible sterilization of the land for a generation"*, as you put it. Assuming for the moment that the land in question is restored to the Chatleka people in the fullness of time after a procedurally and substantively lawful decision-making process that complies with the requirements of the Constitution of the Republic of South Africa Act 108 of 1995 ("the Constitution") read with the Restitution of Land Rights Act 22 of 1994 ("the Restitution Act") and the Promotion of Administrative Justice Act 3 of 2000 ("PAJA"), an approved proposal to develop solar PV facilities and grid infrastructure on that land will in all reasonable likelihood entail significant economic benefit to the Chatleka community.
	9. The EIR records that Mulilo was verbally advised by the RLCC "not to engage directly with the claimants at this stage". How does the EAP defend the acceptance of an alleged verbal instruction	On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants

[9] Please note that this same confirmation was also provided as part of the Final EIR (as withdrawn) as well as the revised Draft EIR that was available to all potential and registered I&APs for review and comment.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	as a "legitimate basis for excluding claimants from direct consultation," violating NEMA's participatory principles?	at this stage (please note that this advice was in terms of the RLRA and not NEMA – The EAP has engaged extensively and will continue to engage with the CPA as part of the environmental process. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that the applicant refrain from direct engagement with the claimants. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also refer to Section 8 and Appendices F1 – F11 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	10. Why did the EIA process reduce the Chatleka CPA, a claimant body defending a constitutional right, to the status of an "ordinary Interested and Affected Party" (I&AP), disregarding their special legal status as potential future landowners?	The EIA process treated the Chatleka CPA as an " Interested and Affected Party" due to the Environmental Impact Assessment Regulations (2014) classifying all participants under the broad category of I&APs, regardless of their land restitution claims. The EIA framework prioritizes procedural uniformity over differentiated legal status, meaning claimant communities like the CPA are not automatically recognized as having special standing in EIA participation. As detailed in the previous response, for purposes of Chapter 5 and activities listed under Section 24, NEMA an Interested and Affected Party (I&AP) is explicitly defined as: - Any person, group of persons, or organization that is interested in or affected by a proposed operation or activity; and - Any organ of state that may have jurisdiction over any aspect of that operation or activity. Neither the Act, nor the regulations differentiate between different "categories" of I&AP's. I&AP's encompass all parties who have an interest or are directly or indirectly affected by the proposed project. This includes those who have a stake or concern, those who face direct or indirect impact, as well as all relevant State Departments or Organs of State. Based on the principles of NEMA, it is neither legally sound nor ethically acceptable to treat I&APs differently based on the nature of their stake in a project. These principles require inclusive participation and **ALL** I&APs must be given equal opportunity to participate in decision-making processes. ALL I&AP's regardless of their interest or how they may be affected by the proposed project have the right to meaningfully participate in the process and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		also have the responsibility to declare any direct or indirect interests in the proposed activity.
	11. Why did the EAP rely primarily on electronic communication and online dissemination, thereby effectively excluding the majority of CPA beneficiaries who are illiterate, reside in rural areas, and lack reliable internet access?	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
	12. Why is the EAP continuing with the public open day engagement session at the Vleifontein Community Hall, a venue the CPA finds inaccessible and inappropriate for the Matoks/Indermark-based, predominantly Sepedi-speaking members?	The key criteria in selecting this venue for the open day / information sharing session was to be able to accommodate all potential stakeholders irrespective of their interest in this application. In selecting this venue, the following was considered amongst others: 1. Location of the venue in relation to the Project Site and broader community. 2. The Community Hall is accessible to all stakeholders of the community being used for similar events. 3. The Community Hall has good public transport links and parking facilities. This reduces barriers to attendance. 4. The Community Hall is a space people recognise and are familiar with. This encourages meaningful participation and engagement.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		5. The neutrality of the Community Hall avoids perceptions of bias that might arise if the open day was to be held at a private venue. 6. The Community Hall is designed to accommodate larger groups, with seating arrangements that can be adapted for the discussions. 7. The Community Hall also include essential amenities such as restrooms and accessibility features. 8. The Community Hall also has electricity which is needed for the presentations. In summary, the Vleifontein Community Hall offers accessibility, familiarity, flexibility, and inclusivity, making it the most practical and stakeholder-friendly venue for the public open day. We acknowledge that although the dominant home language in the Makhado Municipality is Tshivenda (75.88% according to the Social Impact Assessment), some members of the CPA are predominantly Sepedi speaking (According to the Social Impact Assessment, Sepedi speaking individuals make up 2.31%). To ensure that the Sepedi members are not excluded in terms of communication/information sharing, we have also taken the step of translating the Background Information Document to Sepedi which ~~will~~ was also be made available at the open day for further distribution. We have taken the liberty of attaching copies of these BIDs to this email (which we'll also distribute to other registered I&APs) to help with further communication. Tshivenda and Sepedi speaking translators were present at the public open day / information sharing session to assist in any language barriers.
	13. Will the EAP commit to convening a structured public meeting at an appropriate, accessible venue like Banderlierkop, as requested by the CPA, to ensure fair and equitable participation?	With careful consideration of the concerns raised regarding the format of the engagement session, we acknowledge that a public meeting is an appropriate way for effective engagement in some instances, we however maintain that in this instance, the open day format provides a fair opportunity for constructive

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		engagement which we submit being better than a meeting format alternative, for the following reasons: 1. In the open day format, stakeholders can attend at a time that suits them best within the event window because of an open day stretching over a much longer period of time (in this instance from 12h00-19h00 i.e. seven hours). With a public meeting format, it requires everyone to be available for both a limited and fixed time i.e. 1.5 – 2hrs, at a set time during the day or evening or both, which may still exclude people who cannot attend at such a fixed time due to i.e. work or personal commitments. The time limitation in particular is also prohibitive because it restricts the time for information sharing and discussions more so than in an open house format that extends for a much longer period. 2. An open day allows for one-on-one, or small group discussions with the EAP, specialist or applicant which is more enabling to stakeholders who can discuss matters that are of interest/concern to them specifically. Whereas a meeting alternative effectively forces attendees to have to listen to issues/matters that are not of their specific interest. Attendees may also not find enough time during such a limited period to fully disclose and/or unpack their specific concerns. 3. We often do find that not all attendees in a meeting format are comfortable speaking up in front of a larger crowd that gather in a public meeting format, some simply being shy, others not feeling comfortable expressing their views/opinions in front of a group/s of people that otherwise may have conflicting views on the same topic for instance. Such a format then discourages detailed or personal inquiries and subsequent engagement. An open house format by

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		nature, creates a safe space for such stakeholders to disclose their inputs/concerns in a manner that is not exposed to the views/opinions of other stakeholders 4. In the open day format, multiple stations or displays present different aspects of the environmental process (e.g., maps, data, timelines), allowing stakeholders to explore and engage on topics that concern them at their own pace. In a public meeting format, information is usually presented in a linear format which limits effective engagement and depending on the nature of people's interest, some disciplines may then become lost in the process. 5. An open day format allows for improved quality of feedback, where stakeholders can engage on concerns individually via written or verbal means, leading to more thorough engagement. In summary, an open day format fosters flexibility, personalized engagement, and a more inclusive, less intimidating environment for some stakeholders, which ultimately leads to better engagement, stakeholder understanding and higher-quality feedback compared to a traditional public meeting format. We therefore feel strongly that the open day format will not detract from constructive engagement and although we take note of your concerns in this regard, we are confident that participation through such a format remains fair and transparent. All specialists/EAP/Applicant will keep notes from discussions and will be sure to record all comments/engagements during this session which we shall be sure to reflect as part of the ongoing public participation process.
	14. Will the EAP grant the CPA's request for an extension of the public comment period to allow for proper consultation and independent review, given the complexity and legal challenge inherent in the restitution claims?	Three public participation periods have been completed thus far: • 25 April 2025 – 27 May 2025 (Draft Scoping Report)

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• 22 August 2025 – 26 September 2025 (Draft Environmental Impact Report) • 07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report) All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. Since the submission of the Final Environmental Impact Report on 06 October 2025, with its subsequent withdrawal to accommodate concerns raised by an Interested and Affected Party relating to the public participation process, notifications of extension contemplated in Regulation 23(1)(B) for the proposed developments were submitted to the DFFE. The Revised Final Environmental Impact Report must therefore be submitted to the competent authority within 156 days from Acceptance of the Final Scoping Report in order to align with the regulated timeframes of the Environmental Impact Assessment Regulations (2014) and the public participation period can therefore not be extended any further.
	15. The EIR asserts that "Landowner consent is not required for Strategic Integrated Projects". Does the EAP possess a written legal justification for applying this SIP exemption to override constitutional rights and NEMA participatory provisions on actively claimed land?	Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects.
	16. Will the EAP disclose the SIP Confirmation Letter and any related legal opinion regarding its applicability to land under active restitution claim, as requested by the CPA?	Yes, please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects.
	17. If SIP status expedites administrative coordination, how does the EAP justify placing permanent, heavy infrastructure on land that is simultaneously the subject of a sensitive socio-political transfer process?	The SIP status only expedites the decision making timeframe following the completion of the environmental process. The EIA Process itself is however not expedited in any means. Please refer to Appendix G1f for a copy of the letter from the Department of Infrastructure confirming that the project is a SIP.
	18. Given the Tabor Cluster covers over 1,000 hectares and represents 795 MW of development, how will the EAP assess the cumulative effect of this total land transformation on the CPA's ability to realize its post-restitution agricultural and conservation vision?	The cumulative affect of the transformation of land associated with all the projects in the Tabor cluster is discussed in detail in section 6.11 of the EIR. The Terrestrial Biodiversity Specialist confirmed that the due the relatively small

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		extent of the proposed development (on a regional scale), the cumulative impacts are generally comparable to the direct impacts as follows[10]. - The loss of Makhado Sweet Bushveld and associated plant species was found to have a medium cumulative impact. - The loss of Secondary Vegetation and associated plant species was found to have a low cumulative impact. - The loss of individuals of protected plant species was found to have a low cumulative impact. - The fragmentation of Vegetation and Disruption of Ecosystem Processes was found to have a low cumulative impact. - The introduction and Spread of Weeds and Alien Plant Species was found to have a low cumulative impact. - Loss and transformation of natural habitat within the Vhembe Biosphere reserve was found to have a moderate cumulative impact. - The loss of Faunal Habitat was found to have a low cumulative impact. - The Loss of Faunal Species of Conservation Concern (SCC) was found to have a low cumulative impact. - The disturbance to Faunal Species and their Livelihood due to Project Related Activities was found to have a low cumulative impact. - The Mortality of Faunal Species due to Earthworks, Roadkill and Persecution was found to have a low cumulative impact.
	19. How does the EIA address the intergenerational impacts of the development, specifically how future generations of land claimants will inherit land industrially transformed for 25–30 years, contradicting NEMA's requirement to consider future generations?	As detailed extensively in the responses above, the EIA process cannot pre-empt the outcome of the land claims process. Intergenerational cannot be considered in the ambit of an EIA process and can only be considered once the land claims process is concluded.

[10] The impact ratings for cumulative impacts reflected here constitute post mitigation impact ratings.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	20. Will the EAP commit to commissioning a comprehensive Cumulative Social Impact Assessment for the full Tabor Cluster, addressing environmental justice implications?	A Comprehensive Social Impact Assessment, which included an assessment of cumulative impacts has been undertaken by Tony Barbour Environmental Consulting for each of the proposed projects including Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV. The Social Impact Assessments address Cumulative Impacts and is appended to the Final Environmental Impact Report as Appendix E7 which is submitted to the competent authority for decision making.
	21. The proposed mitigation is that the Applicant will undertake "to engage... and negotiate an option to lease". What specific binding mechanism guarantees that this negotiation will be equitable and not simply coerce the new landowners into compliance with a pre-determined development model (a fait accompli)?	**RESPONSE FROM THE APPLICANT:** Should land ownership transfer to a new owner during the project's lifespan, there would be an opportunity to renegotiate the terms of the lease agreement to ensure it reflects the new owner's interests and priorities. It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	22. Given the CPA's formal objection that the Draailoop development exceeds allowable agricultural limits by 193.8 ha, will the EAP confirm this non-compliance with GN 320 of 2020?	The footprint of the Draailoop PV Project has been reduced to fall within the allowable development limits. The reduced footprint is reflected in appendix D1.
	23. Will the EAP facilitate independent technical and legal support for the claimants during the review process, given the complexity of the legal challenge and the CPA's limited access to resources?	The EAP operates as an independent party responsible for facilitating the Environmental Application process and cannot facilitate technical and legal support to I&AP's outside of that which is already provided and presented as part of the environmental process. Under NEMA and its associated Environmental Impact Assessment (EIA) Regulations, the Environmental Assessment Practitioner (EAP) is required to act independently and ensure that the environmental assessment process is fair, transparent, and inclusive. However, the EAP's mandate does **not** extend to providing or facilitating independent technical or legal support for Interested and Affected Parties (I&APs). NEMA does not impose an obligation on the EAP to fund or arrange external technical or legal assistance for stakeholders. I&APs who require such support must secure it independently, as the EAP must remain impartial and cannot advocate for any party. Providing such assistance would compromise the EAP's independence, which is a legal requirement under Section 24H of NEMA.
	24. How will the EAP demonstrate that the project adheres to NEMA Principle 2(4)(g), ensuring the "values" of the Chatleka CPA—which prioritize ancestral connection and agricultural restoration—are taken into account over industrial energy generation?	As outlined above, this EIA process cannot assume that the land claim process will be successful or vice versa. NEMA Principle 2(4)(g) states that "decisions must take into account the interests, needs and values of all interested and affected parties". This principle does not require that the values of any single stakeholder group be prioritized over others or over the broader public interest. Instead, it requires that all values be considered in a balanced manner during the decision-making process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The EAPs responsibility is to document and consider the values, concerns, and inputs of all I&APs through the public participation process and to reflect these in the Environmental Impact Report for consideration by the Decision Making Authority.
	25. Under which section of NEMA would the DFFE be legally obliged to REFUSE the Environmental Authorisation if the project is found to violate the principles of environmental justice and equitable access to resources for claimants?	The EAP cannot speculate or pre-empt the outcome of the decision-making process, as this responsibility lies solely with the competent authority (DFFE). However, NEMA provides the legal framework under which the competent authority must make its decision. If the competent authority determines that the proposed activity fundamentally conflicts with these principles and cannot be mitigated to acceptable levels, it is empowered under Section 24 and Section 24O to refuse the Environmental Authorisation.
	26. The HIA notes no direct engagement with the Chatleka CPA. How does the EAP justify this procedural defect given that the CPA holds living oral histories, ancestral sites, and community graves in the area that were not documented?	In terms of the EIA Regulations under NEMA, the Environmental Assessment Practitioner (EAP) is responsible for managing the environmental assessment process and engaging directly with Interested and Affected Parties (I&APs) during public participation. As such, the CPA was engaged on all issues, including heritage issues. It must furthermore be noted that the Heritage Specialist did approach elders from the CPA to arrange joint site inspection to capture oral history point out any cultural or spiritual features. The CPA declined this opportunity.
	27. Why did the HIA focus predominantly on archaeological materials (stone tools, ceramics) while failing to assess the living cultural landscape, including sacred sites and intangible cultural values central to the CPA's identity?	**RESPONSE FROM HERITAGE SPECIALIST.** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	28. How does the narrow focus of the HIA comply with the National Heritage Resources Act (NHRA) Section 3(2)(b), which explicitly includes "places to which oral traditions are attached or which are associated with living heritage"?	**RESPONSE FROM HERITAGE SPECIALIST.** It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process.
	29. In light of affidavit testimony that farmers in the area previously "desiccated some graves, scattering the human bones all over,", what specific methodology was used to ensure every unmarked burial site was identified, verified, and protected?	**RESPONSE FROM HERITAGE SPECIALIST.** Desecration of human remains is a criminal act and any evidence of such must urgently be submitted to SAPS for investigation. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the revised HIA. The preferred layout alternative (Layout Alternative 4 – Preferred Mitigated Alternative) has avoided all these areas.
	30. How does the HIA's finding that the project area has "insufficient value to warrant formal protection" reconcile with the sworn testimony that the land holds sites where human bones were scattered and where ancestral sacred sites are now "sporting grounds"?	**RESPONSE FROM HERITAGE SPECIALIST.** There is not any record of a sworn testimony provided by the CPA relating to the desecration of human remains in any of the submissions. Notwithstanding, the desecration of human remains is a criminal act and any evidence of such must urgently be submitted to SAPS for investigation.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	31. Given the affidavit confirming that Masalesa Washington Selabe's father and grandmother's tombstone still stands in the middle of Draailoop farm, what specific steps were taken to verify the exact GPS coordinates of this living grave site and ensure its permanent exclusion?	**RESPONSE FROM HERITAGE SPECIALIST.** Desecration of human remains is a criminal act and any evidence of such must urgently be submitted to SAPS for investigation. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the revised HIA. The preferred layout alternative (Layout Alternative 4 – Preferred Mitigated Alternative) has avoided all these areas.
	32. Why did the HIA not document the community's specific cultural practices, such as the right to access ancestral graves and circumcision sites, which the claimants state were curtailed by dispossession?	**RESPONSE FROM HERITAGE SPECIALIST.** Engagement was sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was undertaken on 25 November 2025 in order to address this gap in the HIA.
	33. How is the HIA's dismissive valuation validated when it was reached without participatory validation from the communities of origin, making the valuation scientifically and ethically invalid?	
	34. Will the EAP commission a Supplementary Heritage Impact Addendum specifically to document the CPA's oral history, living heritage, and sacred sites in direct collaboration with CPA elders, as requested?	No, the current Heritage Impact Assessment has been revised. The Heritage Specialist did approach elders from the CPA to arrange joint site inspection to capture oral history point out any cultural or spiritual features. The CPA declined this opportunity.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	35. The HIA recommends excluding sensitive areas like granite koppies. Why does the EIR not include a verified layout map confirming the exact, final exclusion zones for all identified and potential heritage areas?	Site Layout Plans of the Preferred Alternative are included in the Revised Environmental Impact Reports[11] as well as included as Appendix D1. The Site Layout Plans portrays "No-Go" areas (including identified heritage areas) which are excluded from the development footprint.
	36. Does the absence of a verified layout map confirming heritage exclusion zones violate NHRA Regulation 38(3)(g), which requires the location and nature of heritage resources to be clearly identified?	Site Layout Plans of the Preferred Alternative are included in the Revised Environmental Impact Reports as well as included as Appendix D1. The Site Layout Plans portrays "No-Go" areas (including identified heritage areas) which are excluded from the development footprint.
	37. Why does the EIR fail to confirm that the recommended Conservation Management Plan (CMP) has been prepared, adopted, or reviewed by heritage authorities, despite it being a key mitigation measure?	The EIR has recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.
	38. Will the EAP commit to developing and implementing a binding CMP in collaboration with the Chatleka CPA and neighboring claimants, ensuring approval by the relevant heritage authorities prior to any construction activity?	Yes, this has been recommended as a condition of authorisation and it is also likely that it will be listed as a requirement in the Final Comment in terms of Section 38 of the National Heritage Act. The inclusion of this as a condition of authorisation will confer a legal obligation to the applicant.
	39. How will the EAP ensure that the high-security fencing and industrial nature of the solar facility does not compromise the	**RESPONSE FROM HERITAGE SPECIALIST.**

[11] These were also included in the Draft EIR, Final EIR (as withdrawn) and Revised Draft EIR. I&AP's therefore had ample opportunity to consider the content of these layout plans.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	community's restored right to access to ancestral graves and circumcision sites once the land is operational, especially given the historical context of access being strictly forbidden?	The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	40. Why does the HIA make no reference to the Restitution of Land Rights Act or the existence of active land claims, thereby decontextualizing heritage from the history of dispossession which is central to the land's significance?	**RESPONSE FROM HERITAGE SPECIALIST.** The land claim is disputed by the current owners and is going through a legal process in terms of the relevant legislation. Following the receipt of comments on the Heritage Impact Assessment, a public engagement was held with the affected community and elders were requested to identify the location of sites of ongoing cultural value to ensure that the heritage impact assessment is comprehensive and addresses all resources present within the development area.
	41. How is the HIA's failure to integrate the restitution context compatible with the Constitutional mandate for restorative justice (Section 25(7)), which demands recognition of the history of dispossession?	**RESPONSE FROM HERITAGE SPECIALIST.** The land claim is disputed by the current owners and is going through a legal process in terms of the relevant legislation. Following the receipt of comments on the Heritage Impact Assessment, a public engagement was held with the affected community and elders were requested to identify the location of sites of ongoing cultural value to ensure that the heritage impact assessment is comprehensive and addresses all resources present within the development area.
	42. Since the land is claimed under KRP 693, will the revised HIA explicitly involve the Chatleka CPA in defining and valuing the	**RESPONSE FROM HERITAGE SPECIALIST.**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	cultural significance of the land to ensure the assessment is not scientifically or ethically invalid?	The land claim is disputed by the current owners and is going through a legal process in terms of the relevant legislation. Following the receipt of comments on the Heritage Impact Assessment, a public engagement was held with the affected community and elders were requested to identify the location of sites of ongoing cultural value to ensure that the heritage impact assessment is comprehensive and addresses all resources present within the development area.
	43. How will the EAP address the cumulative effect of the Tabor Cluster on the cultural landscape alteration of the entire claimed area, which collectively covers over 1,000 hectares?	This is addressed in section 6.11 of the EIR. The significance of cumulative impacts takes into account the input from relevant specialists. From a terrestrial biodiversity point of specialist confirmed that the due the relatively small extent of the proposed development (on a regional scale), the cumulative impacts are generally comparable to the direct impacts as follows[12]. - The loss of Makhado Sweet Bushveld and associated plant species was found to have a medium cumulative impact. - The loss of Secondary Vegetation and associated plant species was found to have a low cumulative impact. - The loss of individuals of protected plant species was found to have a low cumulative impact. - The fragmentation of Vegetation and Disruption of Ecosystem Processes was found to have a low cumulative impact. - The introduction and Spread of Weeds and Alien Plant Species was found to have a low cumulative impact. - Loss and transformation of natural habitat within the Vhembe Biosphere reserve was found to have a moderate cumulative impact. - The loss of Faunal Habitat was found to have a low cumulative impact.

[12] The impact ratings for cumulative impacts reflected here constitute post mitigation impact ratings.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
- The Loss of Faunal Species of Conservation Concern (SCC) was found to have a low cumulative impact.
- The disturbance to Faunal Species and their Livelihood due to Project Related Activities was found to have a low cumulative impact.
- The Mortality of Faunal Species due to Earthworks, Roadkill and Persecution was found to have a low cumulative impact.

In terms of other aspects of the development, the following cumulative impacts are envisioned:

<table>
<tr><th>Nature of Cumulative Impact</th><th>Significance[13]</th></tr>
<tr><td>Additional PV and other renewable energy projects will increase the areas that are fenced off and where farming activities can no longer continues.</td><td>Medium</td></tr>
<tr><td>Increase in areas susceptible to soil erosion as there will be new areas where there will be clearing and levelling of land for the construction of the infrastructure.</td><td>Medium</td></tr>
<tr><td>Increase in areas with compacted soils because any additional access roads, PV array areas and buildings will require deliberate compaction to ensure a stable surface prior to construction.</td><td>Low</td></tr>
<tr><td>Increase in areas at risk of soil pollution, especially during the construction phase. Each of the projects that contribute to cumulative impacts will require construction workers to traverse the area in vehicles and use equipment.</td><td>Medium</td></tr>
<tr><td>Loss / Degradation to Local Ecology</td><td>Medium</td></tr>
<tr><td>Loss of habitat, and disruption of SCC home ranges</td><td>Medium</td></tr>
</table>
</td></tr>
</table>

[13] The Significance reflected in this table depicts the post mitigation significance of the cumulative impact.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td><table>
<tr><td>Loss of habitat, and disruption of SCC home ranges</td><td>Medium</td></tr>
<tr><td>Cumulative Impacts on cultural landscape.</td><td>Low</td></tr>
<tr><td>Cumulative impacts on the area's sense of place</td><td>Medium</td></tr>
<tr><td>Cumulative impact on the local services and accommodation.</td><td>Medium</td></tr>
<tr><td>The cumulative impact on the local community.</td><td>Medium</td></tr>
<tr><td>Cumulative Impact on Local Economy.</td><td>High Positive</td></tr>
</table></td></tr>
<tr><td></td><td>44. Will the EAP recognize the claimant communities as custodians of heritage resources within their ancestral land and include their representatives in all heritage monitoring and mitigation teams?</td><td>The CPA's comments will be included in the submission of the Revised Heritage Impact Assessment that will be submitted to SAHRA by the heritage specialist for consideration.</td></tr>
<tr><td></td><td>45. Will the EAP commit to suspending the heritage authorisation process until meaningful consultation has occurred with the Chatleka CPA to ensure the full documentation of living heritage, sacred sites, and oral histories?</td><td>The EAP does not have the authority to suspend the Heritage process. The competent authority in terms of the National Heritage Resources Act is the South African Heritage Resources Agency(SAHRA) and the Limpopo Heritage Resources Agency (LIHRA). The CPA's concerns will be submitted by the heritage specialist to these authorities with the revised HIA. The CPA's concerns will then be considered by these authorities as part of their legislated process.</td></tr>
<tr><td></td><td>46. The SIA explicitly states that it is "beyond the scope of the SIA to assess or comment on the status of the land claims". How does this deliberate exclusion allow the SIA to meet NEMA's core purpose of evaluating the "social and economic impacts" on people and their rights, especially the land claimants?</td><td><u>RESPONSE FROM SOCIAL SPECIALIST.</u>

The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. This is not a "deliberate exclusion", rather a statement of what the SIA can and cannot do.</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	47. Will the EAP commit to commissioning a Supplementary Social Impact Addendum specifically analyzing land restitution implications, economic justice, and equitable benefit sharing models, as requested by the CPA?	**RESPONSE FROM SOCIAL SPECIALIST.** The dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim. The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The focus of the SIA is therefore on the site and the surrounding areas as per accepted best practice. In the event that the land claims are successful, the impact of the dispossession of land on the affected community would be addressed as part of the settlement negotiations managed by the Department of Agriculture, Land Reform and Rural Development. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. The outcome of the EIA process will also not have a bearing on the outcome of the land claim.
	48. Why did the SIA methodology fail to assess the Opportunity Cost to the Chatleka CPA, considering their post-restitution land use vision emphasizes agriculture, livestock farming, and conservation?	**RESPONSE FROM SOCIAL SPECIALIST.** An assessment of "lost economic opportunity for the Chatleka CPA and other affected CPA's if they are prevented from developing their own high-intensity agriculture or mixed-use housing on this land" would assume a successful land claim. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		In this regard the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The SIA also notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo, and that the land claimants must be consulted where application for permission is contemplated. If the claims are successful, the developers of the proposed Tabour PV Cluster project will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss opportunity to combine the proposed PV SEF development with other land uses, including agriculture. Livestock farming and conservation.
	49. How does the EAP explain the SIA's flawed assertion that the social benefits "will not be affected by the change of ownership," given that successful land claimants have the constitutional right to redefine land use and reject or renegotiate lease terms?	The SIA does not dispute a successful land claimants right to redefine land use and reject or renegotiate lease terms.
	50. Since the SIA admits that employment is temporary, skills are low, and most benefits will "likely accrue to external contractors", how does the SIA justify rating the social impact of employment as "high positive"?	**RESPONSE FROM SOCIAL SPECIALIST.** The findings of the SIAs (Bethel, Draailoop, Klipput and Makkoppa) assess the potential employment opportunities associated with the construction and operational phase. The significance with mitigation for the Construction (Section 4.3.1) and Operational Phase (Section 4.4.2) for a single PV SEF is rated as Medium Positive for both the Operational and Construction Phase. The impact is not assessed to be High Positive.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The SIA also notes that the creation of employment and business opportunities are confirmed by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024). In terms of enhancement measures the SIA notes: - The local authorities, CPAs representatives, and organisations on the interested and affected party database, should be informed of the final decision regarding the project and the potential job opportunities for locals and the employment procedures that the proponent intends following for the construction phase of the project. - Where feasible, training and skills development programmes for locals should be initiated prior to the initiation of the construction phase. - The recruitment selection process should seek to promote gender equality and the employment of women wherever possible. The SIA also notes that the proposed development will generate income of the project landowners (Section 4.4.3). Section 4.4.3 states that as indicated in the assumptions (Section 1.5.1), the SIA acknowledges that the project area is subject to land claims. While the ownership of the affected properties may change depending on the outcome of the land claim, the benefits to the project landowners whoever they are will remain. It is beyond the scope of the SIA to assess and or comment on the status of the land claims. If the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss the issue in more detail.
	51. Why does the SIA fail to propose a formal benefit-sharing arrangement, community trust, or equity participation structure that would ensure long-term benefits to claimant communities, contradicting requirements for projects on restitution land?	Until the project enters into a power purchase agreement with an off taker and the outcome of the land claims process is finalised, it is not possible for the applicant to consider any benefit sharing arrangement or equity participation

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	52. Given the SIA's failure to propose equitable mechanisms, how does the EAP ensure that the project will not lead to a continuation of historic exclusion patterns for the Chatleka CPA members?	structure. Please note that the SIA does in fact propose the establishment of a community trust.
	53. Will the EAP require the preparation of a Community Benefit-Sharing and Local Development Plan detailing binding commitments, such as equity participation and revenue-sharing options, negotiated with the Chatleka CPA before construction?	
	54. Why does the SIA dismiss the "reduction of land with natural vegetation for livestock grazing" as a negligible impact, when this transformation of over 1,000 hectares undermines the CPA's ability to realize its core restorative agricultural objectives?	This is due to the low agricultural potential of the land as determined by the agricultural impact assessment. The land was not seemed suitable for cultivation and the loss of marginal grazing on a local scale is not deemed to be a significant impact.
	55. How will the SIA now quantify and mitigate the loss of agricultural and grazing land based on the future land use objectives of the claimant communities?	The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. In this regard the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The SIA also notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo, and that the land claimants must be consulted where application for permission is contemplated.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	56. Given the SIA's omission of intergenerational impacts, how will the EAP now assess the effect of this industrial transformation on the rights and livelihoods of future generations of land claimants?	The comment appears to imply, firstly, that the land claims will be successful, and secondly, that the proposed Tabor PV SEF Cluster will be developed The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. In this regard the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The SIA also notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo, and that the land claimants must be consulted where application for permission is contemplated.
	57. Why did the SIA fail to assess the cumulative effect of the entire Tabor Cluster on the long term displacement of local agricultural economies and the combined pressure on social infrastructure?	**RESPONSE FROM SOCIAL SPECIALIST.** The comment appears to imply, firstly, that the land claims will be successful, and secondly, that the proposed Tabor PV SEF Cluster will be developed The SIA does assess the potential cumulative impact of the combined project and other renewable energy projects on social infrastructure (Section 4.6, cumulative impact on local services and accommodation). The significance is rated as Medium Negative. The cumulative assessment of "long-term displacement of agricultural economies" would typically be covered by the agricultural assessment.
	58. Did the SIA adequately assess the psychological and historical impacts of another development being imposed on	**RESPONSE FROM SOCIAL SPECIALIST.**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	ancestral land that was originally taken through forced removals and the trek-pass system, just as the community is about to reclaim it?	The comment appears to imply, firstly, that the land claims will be successful, and secondly, that the proposed Tabor PV SEF Cluster will be developed. In terms of the first assumption, the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. In terms of the land claims the SIA notes that the Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for all 5 properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. In terms of the second assumption, if the claims are successful, the developers of the proposed Tabour PV Cluster project will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss concerns regarding the proposed PV SEF development and the impact ancestral land.
	59. Will the EAP commit to providing documents in accessible formats, including vernacular translations or simplified summaries, and distributing them physically in the affected CPA communities, rectifying the electronic access barriers?	• Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
	60. Since the assertion that benefits "will not be affected by the change of ownership" is flawed, will the Supplementary Addendum detail precisely how ownership changes will affect future economic returns and align the project with the CPA's post-restitution land use vision	Should land ownership transfer to a new owner during the project's lifespan, there would be an opportunity to renegotiate the terms of the lease agreement to ensure it reflects the new owner's interests and priorities. It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
23/11/2025 Via Email Chatleka CPA	Please find attached a formal submission of sixty (60) critical questions raised by the Chatleka Communal Property Association (CPA) regarding the Environmental Impact Assessment (EIA) for the proposed Tabor Solar PV Cluster.	Please refer to the responses provided to each individual point stated in the letter received on 23/11/2025 above.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Motz Ntimo - Chatleka Communal Property Association undersigned by Motshewa Matimolane	The Chatleka CPA submits these questions as a registered Interested and Affected Party (I&AP) and as the representative body of the land claimants for the properties in question. These inquiries address fundamental concerns regarding: • **Land Restitution Status:** Contradictory correspondence from the RLCC and the material legal risks posed to the project's feasibility. • **Procedural Fairness:** The exclusion of claimants from direct consultation and the reliance on electronic communication methods inaccessible to the majority of beneficiaries. • **Heritage Impacts:** deficiencies in the Heritage Impact Assessment (HIA), specifically the failure to document living heritage, oral histories, and sacred sites associated with the dispossession. • **Social & Economic Impacts:** The lack of a comprehensive assessment regarding the intergenerational impacts on the claimants and the conflict between the proposed development and the CPA's agricultural restoration vision. Please note that these questions are not exhaustive. The Chatleka CPA reserves the right to submit further inquiries, comments, or objections as the EIA process unfolds or as new information comes to light. **Request for Response** Given the gravity of the issues raised, the Chatleka CPA requests that these questions be treated as a priority. We require a comprehensive, written response to each point from: 1. **The EAP (Cape EAPrac)** regarding procedural and regulatory compliance.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. **The Applicant (Mulilo Renewable Energy)** regarding project feasibility, consent, and benefit-sharing mechanisms. 3. **The Specialist Consultants** (specifically the Heritage, Social, Agricultural Impact specialists) regarding the methodological deficiencies identified. We request that this submission and the attached questions be formally recorded in the Comments and Responses Report (CRR) for the Final Environmental Impact Report (FEIR). We look forward to your prompt response.	
23/11/2025 Via Email Chatleka CPA Motz Ntimo - Chatleka Communal Property Association	Based on the provided Heritage Impact Assessment (HIA) reports for the Draailoop, Bethel, Makoppa, and Klipput Solar PV Facilities, I must note with serious concern that **the documents do not contain detailed evidence of specific public consultation undertaken as part of the heritage impact assessment process.** **What the Reports State** Section 6 of each HIA report contains an identical standardized statement: "As this application is made in terms of NEMA, the public consultation on the HIA will take place with the broader public consultation process required for the Environmental Impact Assessment process and will be managed by the lead environmental consultants on the project." **The Regulatory Gap**	**RESPONSE FROM HERITAGE SPECIALIST.** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session was held on 25 November 2025 in order to address this gap in the HIA. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	This approach presents a significant concern regarding compliance with Section 38(3)(e) of the National Heritage Resources Act (NHRA), which explicitly requires HIAs to include "the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources." Furthermore, NEMA Section 2(4)(f) and (o) mandates that: • Participation of all interested and affected parties (I&APs) in environmental governance must be promoted • All people must have opportunities to develop understanding, skills, and capacity for equitable and effective participation • Participation by vulnerable and disadvantaged persons must be ensured **What is Missing from the Reports** The HIA reports do not provide documentation of: 1. **Specific heritage-focused consultation activities** conducted with affected communities 2. **Engagement with land claimants** regarding heritage resources and impacts 3. **Documented outcomes** of consultations specifically addressing heritage concerns (as distinct from general environmental issues) 4. **Community input** on the significance of identified heritage resources, including: o The burial sites (Sites 9, 25, 37, 38)	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	○ Rock art and archaeological sites (Sites 11, 44) ○ Historical structures and cultural landscapes 5. **Consultation with descendants** or communities associated with identified graves and burial grounds 6. **Engagement processes** ensuring participation of vulnerable and disadvantaged persons in heritage matters **Critical Heritage Issues Requiring Community Consultation** Given the findings in these reports, the following would have warranted specific community engagement: • **Multiple burial grounds** identified within development areas (graded IIIA due to high local social and spiritual significance) • **Rock art sites** with Later Stone Age paintings • **Iron Age archaeological resources** associated with granite koppies • **Cultural landscape impacts** affecting the sense of place for communities • **Access provisions** to burial sites for the operational life of the facilities **Conclusion** The HIA reports defer heritage-specific public consultation to the broader NEMA-driven EIA process managed by environmental consultants, rather than demonstrating compliance with NHRA Section 38(3)(e)'s requirement for documented consultation outcomes on heritage impacts. **No evidence is provided in**	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	these reports of how public, interested and affected parties, and especially land claimants, were specifically engaged and consulted regarding heritage resources and impacts as part of the Heritage Impact Assessment process. This represents a procedural deficiency that should be addressed to ensure full compliance with both NHRA and NEMA consultation requirements, particularly given the presence of culturally sensitive resources such as burial grounds and archaeological sites within the development areas.	
22/11/2025 Via Letter Chatleka CPA Mr Makgetsi Matimolane – Ordinary Member Chatleka Communal Property Association	**OBJECTION TO THE HERITAGE IMPACT ASSESSMENT STUDIES FOR THE TABOR PV CLUSTER ON THE ANCESTRAL LAND THE CHATLEKA CPA AND OTHER AFFECTED COMMUNITIES** This letter of objection is presented in the form of a detailed narrative critique, addressing the methodology, approach, and critical gaps in the Heritage Impact Assessment (HIA) conducted by CTS Heritage for the Tabor Solar PV cluster of projects, near Bandelierkop, Limpopo, on land claimed by the Chatleka CPA and other affected communities.	Please refer to the responses provided to each individual point below.
	A Narrative of Silence and Erasure: A Critique of the Tabor Solar PV cluster Heritage Impact Assessments **Introduction: The Dispossession Embedded in the Report** The Heritage Impact Assessment (HIA) prepared by CTS Heritage for the proposed a cluster of Tabor Solar PV Energy Facilities presents itself as a routine compliance document,	**RESPONSE FROM HERITAGE SPECIALIST.** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	satisfying the technical demands of Section 38(8) of the National Heritage Resources Act (NHRA). Yet, to the people of the Batlokwa ba Chatleka, and the broader community represented by the Chatleka CPA and other claimants, this report is not merely a procedural document; it is a profound narrative of erasure, a continuation of a colonial methodology that renders the Black presence on this land archaeological rather than living. The land under assessment—Portion 1 of Farm 425, Remainder of Farm 430, and Farm 431 —is not merely a canvas for solar arrays, but a theatre of forced removals, historical memory, and ongoing land claims. The core of this critique is that the HIA, led by a team of specialists whose expertise is predominantly anchored in archaeology (Jenna Lavin, archaeologist), has committed a cardinal failure: it has systematically privatised academic material culture over public, living social heritage. The exclusive reliance on archaeological and built heritage remnants, to the near total exclusion of the claimants' oral history and associative values, invalidates the assessment as a legitimate reflection of the heritage landscape. The decision to proceed *without the meaningful involvement of the claimants* is not merely a gap; it is a political and ethical failure that undermines the very spirit of South Africa's heritage and land restitution legislation.	The report drafted satisfies the requirements of section 38(3) of the NHRA. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	Part I: Questioning the Foundational Approach—The Gaze of the Specialist **The Archaeology Trap: Equating Heritage with Excavation** The HIA's approach is trapped in an archaeology-centric paradigm. This is evident in the "Summary of Steps Followed,"	**RESPONSE FROM HERITAGE SPECIALIST.** The opinions of the respondent are noted, the HIA and associated specialist reports (including Archaeology and Palaeontology inter alia) must comply with SAHRA's minimum standards. The HIA did not deal only with archaeological heritage resources.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	which explicitly states that "An archaeologist conducted an assessment of archaeological resources". Heritage, for the purposes of this HIA, appears to be defined primarily as that which is old, quantifiable, and *pre-contact* or *pre-colonial*, neglecting the continuous, post-colonial history of the Batlokwa. The report's primary findings focus on: 1. Iron Age Sites and Moloko type pottery, potentially dating to the 15th century. 2. Later Stone Age (LSA) rock art and grindstones. 3. Burial Grounds. While these material remnants are undeniably important, the framework for assessing them is flawed. The report, in its reliance on physical evidence, essentially tells the Batlokwa: "Your heritage is only valid if it is demonstrably old, and if it can be studied and catalogued by a specialist using Western scientific methods." This approach ignores the intangible cultural heritage (ICH) that defines the community's relationship with the land—the very basis of the land claim itself.	
	The Colonial Residue of Methodology The selection of specialists and the resultant methodology carries a distinct colonial residue. In the context of a land claim by historically dispossessed Black communities (CPAs), a white-led team relying on an archaeological-materialist framework, without dedicated social heritage expertise, inevitably imposes an external, and thus, alien, standard of significance. The report's dismissal of contemporary Black structures as "No Conservation Worthy" (NCW)—for example, "Modern	**RESPONSE FROM HERITAGE SPECIALIST.** The opinions of the respondent are noted, the HIA and associated specialist reports (including Archaeology and Palaeontology inter alia) must comply with SAHRA's minimum standards. The HIA did not deal only with archaeological heritage resources.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	homesteads linked to small modern stock kraals" —is symptomatic of this systemic bias. These structures, far from being irrelevant, form part of the living memory of the community, representing post-apartheid land use, ancestral connections, and the tangible, ongoing struggle for a sense of belonging. An approach that renders the history of the last 100 years as "modern" and therefore insignificant, is one that deliberately silences the narrative of survival and contemporary identity.	
	Part II: Flaws in Methodology—The Silence of the Stakeholders **The Cardinal Sin: Exclusion of Claimants and CPAs** The single most egregious failure of the Draailoop HIA is the non-involvement of the Chatleka CPA and other rightful claimants. Heritage legislation (NHRA) and its associated regulations mandate that heritage assessment must be a consultative process. The principle is not merely to *inform* stakeholders, but to ensure their heritage values are *incorporated* into the assessment methodology and findings. The report's brief 4-day fieldwork period (24 to 27 July 2024), focused overwhelmingly on archaeological survey, could not possibly have accommodated a genuine, participatory social heritage process. True consultation involves: 1. Pre-Assessment Engagement: Consulting with CPAs and traditional structures to draft the Terms of Reference (ToR) for the HIA, ensuring their definition of "heritage" is used.	**RESPONSE FROM HERITAGE SPECIALIST.** The opinions of the respondent are noted, and the concerns raised have been part of the public participation process which shows that the consultation under NEMA is progressing successfully. The heritage-related concerns were addressed in the revised HIA as well as the consultation workshop on 25th November 2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. Joint Fieldwork: Walking the land with elders, ritual practitioners, and oral historians to identify sacred sites, ancestral paths, battlegrounds, and places of memory that leave *no archaeological trace*. 3. Validation: Allowing the community to validate the findings and significance ratings. By relying on existing desktop studies and a purely technical field assessment, the HIA effectively bypassed the legitimate, living custodians of the heritage. The consequence is an HIA that may be compliant in form, but is illegitimate in substance—it is a study *about* the land's heritage, conducted *without* the people to whom that heritage belongs. The section on "RESULTS OF PUBLIC CONSULTATION" (Section 6, in the Table of Contents) is, therefore, a critical point of scrutiny, as its content must prove an involvement that the user's assertion directly contradicts.	
	The Limited Scope of "Heritage": Invisible Landscapes The methodology fails to recognise the **holistic nature of the cultural landscape** as understood by indigenous communities, particularly the Batlokwa. For us, a cultural landscape is not a collection of discreet, catalogue-able points (a pile of pottery, a grave, a grindstone). It is an interconnected system defined by intangible values, which the HIA misses entirely:	**RESPONSE FROM HERITAGE SPECIALIST.** This statement is incorrect, as the HIA does consider cultural heritage as part of the assessment.
	1. Spiritual and Associative Value The HIA identifies significant archaeological materials associated with granite koppies. It recommends that "no development take place within or on the koppies" , but this mitigation is based on	**RESPONSE FROM HERITAGE SPECIALIST.** The granite koppies have been identified as having high levels of cultural value based on layers of different cultural values including archaeological, social and spiritual.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	archaeological sensitivity (potential for buried sites/rock art), not spiritual significance. For the Batlokwa, these koppies are often: ● Rain-making sites. ● Initiation sites. ● Places of ancestral appeasement (Badimo). ● Burial sites not marked by formal headstones. By failing to consult, the HIA reduces a sacred space to a scientific buffer zone, thereby failing to protect the site's true, profound heritage value as defined in Section 3 of the NHRA (associative value, spiritual importance).	No impact to the granite koppies is anticipated as these have been avoided by the proposed development footprint.
	2. Traditional Place Names and Toponomy The HIA relies on the current farm names (Draailoop, Bethel, Klipput) and colonial descriptors. The erasure of traditional Tlokwa place names, which encapsulate history, resource use, and territorial claims, is a crucial failure. Where are the Batlokwa names for the streams, the granite outcrops, the pastures, and the burial grounds? These names are themselves a form of heritage resource that, if properly recorded, would have challenged the current land tenure assumptions that underlie the development.	**RESPONSE FROM HERITAGE SPECIALIST.** The opinions of the respondent are noted. The report however utilises the farm names as reflected on the title deed.
	Part III: Identification of Gaps and Deficiencies The deficiencies in the Tabor Solar PV HIA studies can be systematically categorized as follows:	**RESPONSE FROM HERITAGE SPECIALIST.** We would recommend the respondent consults SAHRA's minimum standards for impact assessments.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Gap 1: Absence of a Dedicated Social Heritage Impact Assessment (SHIA) The HIA is missing the core component of a modern, decolonised heritage study: the Social Heritage Impact Assessment (SHIA). The report's methodology is entirely structural and material (archaeology, built environment, palaeontology). ● Deficiency: There is no evidence of a dedicated Oral History component, a survey of cultural practitioners, or ethnographical work. ● Consequence: Critical sites related to post-1900 Batlokwa history—sites of forced removal, political resistance, farmworker settlements, and unmarked burials (where formal headstones may have been removed or never existed)—remain invisible. The graves identified, such as the Mathedimosa Motatanye grave (1871-1959), are assessed in isolation. Without an SHIA, this individual grave's relationship to a broader lineage, a lost village (werf), or a specific moment of Batlokwa history cannot be contextualised.	The specialist acknowledges the comment regarding the absence of a dedicated Social Heritage Impact Assessment (SHIA). However, the EIA Regulations under NEMA require that heritage impacts be assessed by a suitably qualified specialist in accordance with the National Heritage Resources Act (NHRA) and relevant guidelines issued by the South African Heritage Resources Agency (SAHRA).
	Gap 2: Superficial Assessment of the Cultural Landscape The report's interpretation of the **Cultural Landscape** (Section 5.1.1) is thin, framed through the lens of agriculture and game farming ("cattle ranches and game farms"). ● **Deficiency:** The HIA views the landscape as an economic space (tourism, hunting, agriculture), rather than a claimed heritage space. It mentions the "pattern of settlement within this landscape reflects" agricultural	**<u>RESPONSE FROM HERITAGE SPECIALIST.</u>** The views of the respondent are noted and have been recorded. The HIA is conducted by a qualified heritage specialist in accordance with the National Heritage Resources Act (NHRA) and SAHRA guidelines. Its primary purpose is to identify and assess heritage resources that may be affected by the proposed development. Cultural landscapes are recognized as heritage resources and have been considered as part of the assessment.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	activities. This fails to ask *why* the land is currently dedicated to commercial agriculture and game farming, thus erasing the history of dispossession that cleared the land for these very activities. ● **Consequence:** The **cumulative impact** assessment (Section 5.5) considers the visual impact of solar facilities on the current landscape but fails to consider the **cumulative historical and social impact** of continually prioritising development over the cultural right to restitution and recognition of the CPA claimants.	
	Gap 3: Failure to Acknowledge or Integrate the Land Claim Status The existence of the Chatleka CPA implies a formally lodged land claim, which places a profound statutory and ethical obligation on the HIA process. ● Deficiency: The HIA makes no explicit reference to the land claim or the existence of the Chatleka CPA in its public-facing executive summary or methodology (based on available snippets). The land claim itself constitutes a high-level heritage resource: the heritage of dispossession and restitution. ● Consequence: Any development approved on claimed land without claimant consent risks pre-empting or permanently sterilising the land's potential for future restitution and settlement. The HIA should have assessed the development's impact on the future	The NHRA does not deal with land claims. This is handled under the Restitution of Land Rights Act 22 of 1994.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	heritage of the community—their right to re-establish a cultural landscape that was violently removed. The land cannot simply be assessed based on its *current* use by game farmers or its *ancient* use by Iron Age people; it must be assessed based on the claimed and pending future use by the Batlokwa ba Chatleka.	
	Part IV: Corrective Measures and Proposed Way Forward To rectify the severe methodological, ethical, and legal shortcomings of the Tabor Solar PV cluster HIA studies, an immediate and fundamental restructuring of the assessment process is required. The following steps must be taken, transforming the process from one of compliance to one of heritage justice and reconciliation. **1. Mandatory Process Reset and Collaborative Governance** The current HIA must be rejected by all relevant regulatory bodies (SAHRA/PHRA) on the grounds of inadequate stakeholder engagement and an exclusionary methodology that fails to comply with the spirit and intention of the NHRA. ● Action: A new Terms of Reference (ToR) must be drafted, with the Chatleka CPA and all affected CPAs as mandatory, non-negotiable signatories and co-authors. The claimants must define the *scope* of the heritage that is to be investigated, not merely be *consulted* on the developer's terms. ● Action: Establish a Joint Heritage Steering Committee composed of CPA representatives, traditional	The specialist acknowledges the concerns raised regarding the methodology and stakeholder engagement in the Heritage Impact Assessment (HIA). The specialist or the EAP does not have the legal mandate to reject an HIA. Under the National Heritage Resources Act (NHRA), the competent heritage authority (SAHRA and the relevant Provincial Heritage Resources Authority) is responsible for reviewing and approving or rejecting heritage studies. In this regard, and HIA has been commissioned and included in the Environmental Impact Report (EIR), and submitted for regulatory review.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	authorities, and the new team of heritage specialists, ensuring continuous communication and transparency.	
	2. Integration of Indigenous Expertise The next phase of the HIA must move beyond purely archaeological fieldwork to a truly multidisciplinary approach. ● Action: Appoint a Black Social Heritage Specialist/Oral Historian from the Limpopo Province, ideally from the Batlokwa or a related Northern Sotho community, as a lead author, with clear authority over the definition of cultural significance. ● Action: The fieldwork must include a mandatory Oral History Survey and Cultural Site Identification conducted with community elders and ritual specialists. The duration of fieldwork must be extended significantly beyond four days to allow for deep community immersion and verification. This will identify intangible heritage resources like sacred pathways, ritual performance spaces, and unrecorded battle sites, giving them legal status under the NHRA.	The opinions of the respondent are noted and recorded. The EIA Regulations and NHRA require that heritage studies be undertaken by suitably qualified specialists. The EAP cannot impose criteria such as ethnicity, cultural affiliation, or geographic origin for specialist appointments, as this would contravene principles of professional independence and non-discrimination. The EAP ensures that specialists are accredited and meet competency standards set by SAHRA and relevant professional bodies.
	3. Redefinition of Significance and Mitigation The methodology for significance assessment must be broadened beyond archaeological metrics (e.g., density of artefacts) to incorporate social, spiritual, and associative values. ● Action: All resources, especially the granite koppies and any identified burial sites (e.g., the Mathedimosa Motatanye grave), must be re-evaluated under the	The opinions of the respondent are noted and recorded. The NHRA and SAHRA guidelines already recognize multiple value categories, including social and spiritual significance, in addition to archaeological metrics. The EAP cannot unilaterally alter the methodology of the Heritage Impact Assessment (HIA). This responsibility lies with the appointed heritage specialist,

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Social and Spiritual Significance criteria of the NHRA. Their high IIIA grade for graves must be leveraged to mandate long-term, claimant-led protection, not just technical buffering. ● Action: Mitigation for the solar development must include a Heritage and Restitution Offset Strategy. This means mitigation should not stop at buffering archaeological sites; it must include legally binding agreements for: o Co-Management: Establishing a trust (co-managed by the CPA and the developer) to oversee the long-term conservation of the *entire* cultural landscape, including the buffer zones. o Resource Allocation: Dedicating a portion of the project's Community Trust funding specifically for the oral history, documentation, and preservation of the Batlokwa ba Chatleka's heritage on the land, fulfilling the ethical debt incurred by the initial exclusionary process.	who must apply recognized professional standards and comply with SAHRA requirements. Where stakeholders have provided evidence or information regarding social or spiritual significance, these have been incorporated into the HIA, as is the case in this regard.
	Conclusion: From Compliance to Conscience The Tabor Solar PV cluster HIA studies, in their current form, is a testament to the persistence of a technical-rational, exclusionary approach to heritage management. It attempts to address a complex, politically charged land with a limited archaeological toolkit, thereby marginalising the legitimate	The opinions of the respondent are noted. The EAP is legally required under NEMA and the EIA Regulations to: - Ensure that heritage impacts are assessed by qualified specialists in accordance with the National Heritage Resources Act (NHRA) and SAHRA guidelines.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	heritage narrative of the Chatleka CPA and other affected communities. The proposed solar development, while crucial for South Africa's energy security, cannot be built on a foundation of historical injustice and cultural erasure. The way forward is not found in more archaeology, but in dialogue, recognition, and empowerment. The Batlokwa ba Chatleka are not merely the historical backdrop to the solar project; they are the living heritage of the land. Their voices, their memories, and their claims must become the central, governing text of a revised, legitimate, and ethical Heritage Impact Assessment. This is not just a regulatory necessity; it is a moral imperative for nation-building.	- Facilitate meaningful public participation so that all Interested and Affected Parties (I&APs), including the Chatleka CPA, have the opportunity to submit comments, concerns, and information. - Compile and submit all inputs to the competent authority for consideration during decision-making. The EAP cannot: - Pre-empt or override the competent authority's decision. - Restructure the statutory process or impose methodologies beyond what is required by law.
22/11/2025 Via Email Chatleka CPA Mr Makgetsi Matimolane – Ordinary Member Chatleka Communal Property Association	Please find attached my objection to the Heritage Impact Assessment for the Tabor PV Cluster. Kindly acknowledge receipt and confirm that the document will be included in the project's official record.	We hereby acknowledge receipt of the objection letter to the Heritage Impact Assessment for the Tabor PV Cluster. The letter is included and responded to in this Comments and Responses Report which is included as Appendix F2 to the Final Environmental Impact Report which is submitted to the Department of Forestry, Fisheries and the Environment (DFFE) for decision making. Please refer to responses provide to each individual point of the objection letter above.
21/11/2025 Via Letter Chatleka CPA	Your email dated Nov 20, 2025 at 3:09 PM, refers. Thank you for your response and confirming the logistical arrangements for the 26th November meeting. However, your email failed to formally commit to the expanded scope and resources required to rectify the fundamental flaws in the Heritage Impact Assessment (HIA). The meeting on the 26th	This response predates the compilation of the revised HIA which addressed the mapping of graves and assessment of historical aerial imagery. It has also incorporated the responses from the Public Participation Process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association	cannot proceed as planned without written confirmation of the following core requirements: **Requirements for Legal Compliance and Fair Process** • **Living Heritage Assessment:** Mr. Wiltshire must commit to conducting a dedicated, funded Living Heritage Assessment to comply with NHRA Section 3(2)(b), not merely recording oral histories. • **Structured Mapping:** The 26th November meeting must include collaborative mapping using aerial and cadastral maps provided by CTS Heritage. • **Site Verification Technology:** We require a formal commitment to develop and fund a plan for Ground Penetrating Radar (GPR) and/or magnetometry surveys for all high-probability burial areas identified by elders. This cannot be conditional or explored later. • **Fair Compensation and Logistics:** We require a formal commitment to the provision of reasonable sitting allowances/compensation for the time and specialized knowledge of the elders and the Chatleka Heritage Verification Committee. We also require confirmation of funding for the require public notice process to engage the broader community. Please provide detailed justification for any request that cannot be accommodated We look forward to receiving confirmation on these specific commitments immediately, as they are mandatory steps toward a legally compliant HIA and a fair, resourced process.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
21/11/2025 Via Email Chatleka CPA Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association	please see the attached letter	The letter attached to the email of 21/11/2025 has been responded to in the sections above.
21/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	We wish to place on record a matter of **critical procedural importance**: it is essential that the EAP and applicant make a concerted and proactive effort to identify, reach out to, and meaningfully engage with **all other affected land claimant communities and CPAs in the area**. This includes, but is not limited to (refer to pages 49-50 of EIR): • Dithakone Community • Matjuda Family • Mokororwane Community • Any other communities or CPAs with active or pending land claims over areas affected by the proposed developments These communities, like the Chatleka CPA, hold **direct legal interests** in the land and are entitled to specific recognition and meaningful participation in this process. Their exclusion—whether through oversight, inadequate notification, or failure to accommodate their participation needs—would constitute a **material procedural defect** that could fundamentally undermine	The EAP has engaged with a number of CPA's as part of this Environmental process, including: - Chatleka CPA - Mokororwane CPA - Sadiki CPA. None of the other CPA's listed in this comment have registered in respect of this environmental process. The EAP acknowledges the critical importance of meaningful public participation and the inclusion of all Interested and Affected Parties (I&APs). As outlined in the sections above, it is clear that the public participation undertaken was: - Inclusive, allowing all I&APs a reasonable opportunity to participate. - Transparent, with clear documentation of engagement efforts. - Responsive, addressing barriers to participation for vulnerable and historically disadvantaged communities. The public participation undertaken complies with NEMA Section 2(4)(f) and the EIA Regulations.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the legitimacy of the EIA process and any subsequent authorizations. **We therefore urge the EAP to:** 1. **Confirm in writing** which other land claimant communities and CPAs have been identified and registered as I&APs; 2. **Proactively reach out** to any communities or CPAs who may not yet be aware of these applications or their rights to participate; 3. **Provide tailored engagement** that recognizes these communities' special status as rights-holders, similar to the accommodations we are requesting for the Chatleka CPA; 4. **Document all efforts** to identify and engage with these communities, including any challenges encountered and steps taken to overcome barriers to participation. Failure to ensure comprehensive engagement with all affected land claimant communities could expose the EIA process to serious legal challenge and would be inconsistent with the constitutional and statutory obligations of meaningful public participation, particularly where the rights of historically disadvantaged, vulnerable and poor communities are at stake. We wish to emphasize a fundamental principle of meaningful public participation: **the EAP and applicant must meet these communities where they are, not where it is convenient for you**. This means engagement must be designed around the realities, capacities, and circumstances of affected communities—their locations, languages, working schedules,	The EAP recognizes that meaningful participation is not only a regulatory requirement but also a constitutional imperative, particularly where the rights and dignity of historically disadvantaged communities are at stake. The extensive additional public participation that was undertaken is evident of this. • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	economic constraints, and cultural practices—rather than administrative convenience. It requires holding engagements in genuinely accessible locations, scheduling them to accommodate work commitments (including weekends), recognizing and mitigating financial barriers to participation, and adapting formats to suit collective decision-making practices rather than imposing standardized approaches. This is not merely good practice—it is a **constitutional and legal imperative** when engaging with communities whose land rights, dignity, and livelihoods are directly affected. We call on the EAP and applicant to demonstrate, through concrete actions, a genuine commitment to meeting affected land claimant communities where they are. We trust that the EAP will treat this matter with the seriousness it deserves and will provide clarity on the steps being taken to ensure that all affected land claimant communities are brought into this process in a meaningful and procedurally fair manner.	• Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: • The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. • A background information document has been compiled and circulated in English and Tshivenda.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. • Follow-up newspaper adverts have been placed in English and Tshivenda. • Additional site notices have been erected in English and Tshivenda. • Hard copies of reports have been made available at local venues for those without digital access. • A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. • The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
21/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	Thank you for your detailed response dated 21 November 2025, and for outlining the rationale behind the open-day format and the selection of Vleifontein Community Hall as the venue. We acknowledge your position and note your persistence in maintaining the open-day format despite the reservations expressed by the Chatleka CPA. We have carefully considered the points you have raised regarding flexibility, personalized engagement, and inclusivity, and we recognize that the EAP has given thought to these aspects of public participation. However, we must express our profound disappointment that the EAP continues to treat the Chatleka CPA in the same manner as general Interested and Affected Parties (I&APs), rather than	For purposes of Chapter 5 and activities listed under Section 24, NEMA an Interested and Affected Party (I&AP) is explicitly defined as: - Any person, group of persons, or organization that is interested in or affected by a proposed operation or activity; and - Any organ of state that may have jurisdiction over any aspect of that operation or activity. Neither the Act, nor the regulations differentiate between different "categories" of I&AP's. I&AP's encompass all parties who have an interest or are directly or indirectly affected by the proposed project. This includes those who have a stake or concern, those who face direct or indirect impact, as well as all relevant State Departments or Organs of State.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	recognizing us as a special category of directly affected stakeholder with distinct legal standing and procedural rights. **Recognition of the CPA's Unique Status** The Chatleka CPA is not merely an interested party expressing general concerns. We are: • Holders of active land claim rights over the affected land, which creates a direct legal interest in any development proposals; • A communal property association representing collective land rights and interests that cannot be disaggregated into individual stakeholder concerns; • A community whose constitutional rights to land, dignity, and meaningful participation are directly engaged by this process. The failure to differentiate between our status and that of general I&APs constitutes a material deficiency in the public participation process. Our objections are rooted not only in preferences about engagement format, but in substantive legal and procedural rights that require specific recognition and accommodation under NEMA, the Constitution, and land reform legislation. A generic, one-size-fits-all approach to public participation—however well-intentioned—cannot satisfy the heightened duty of meaningful engagement owed to communities with direct, legally recognized interests in the land in question. **Logistical and Financial Barriers to Participation**	Based on the principles of NEMA, it is neither legally sound nor ethically acceptable to treat I&APs differently based on the nature of their stake in a project. These principles require inclusive participation and **ALL** I&APs must be given equal opportunity to participate in decision-making processes. ALL I&AP's regardless of their interest or how they may be affected by the proposed project have the right to meaningfully participate in the process and also have the responsibility to declare any direct or indirect interests in the proposed activity. The active land claims by the CPA are acknowledged ad nauseum throughout the EIR. As the land claimant, the CPA has failed to supply any supporting information regarding the status of the claim (i.e. basis of the claim, timeframe for finalisation of the claim, likelihood that the claim will be successful etc.). As outlined in the various responses, Land Claim is subject to administration in terms of a separate piece of legislation and in the absence of any supporting information from the CPA, this environmental process cannot be based on the assumption that the land claim will be successful (or not) and can only introduce Management outcomes and mitigation measures that would need to be implemented in the event that is successful. **Response to 'Logistical and Financial Barriers to Participation':** The Vleifontein Community Hall was purposefully selected for the upcoming stakeholder engagement opportunity in conjunction with the local Ward Councillor for Ward 20 in which the application sites fall. This municipal community hall is a public neutral venue that is accessible to all stakeholders, including members of any of the different CPAs, other interest groups as well as members of the general public. The Councillor assured us

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	While we note your emphasis on accessibility, we must respectfully point out that your assessment does not adequately account for the practical realities faced by our members: • **Distance and Travel:** Vleifontein is not easily accessible to the majority of Chatleka CPA members, who reside primarily in Matoks and Indermark. The distances involved are substantial, and travel to Vleifontein requires significant time and logistical coordination that many of our members—particularly elderly and working members—cannot easily manage. • **Financial Burden:** We must emphasize the financial stress associated with attending the proposed open day at Vleifontein. Many of our members face economic hardship, and the cost of transport to and from the venue represents a genuine barrier to participation. While you mention "good public transport links," we would respectfully note that public transport in rural areas is often infrequent, unreliable, and costly, particularly for return journeys in the evening. • **Time Constraints for Working Members:** While the seven-hour window (12:00–19:00) offers flexibility in theory, many of our working members cannot take time off during weekday working hours, and the open-day format—by its nature—does not provide a guaranteed opportunity for collective engagement at a time when the majority of members can attend together. These barriers are not abstract concerns—they are material obstacles that will result in the exclusion or under-representation	that the facility is often used for similar events where locals and community engagements take place. The purpose of the open day event is to allow stakeholders and registered Interested & Affected Parties, such as yourselves, to engage on a one on one basis with members of the project team as a further opportunity to participate. We do acknowledge that that not all members of the different CPAs, other interest groups or registered stakeholders, will be able to attend this engagement session for various reasons. We are hopeful however that the continued involvement of the CPA representatives at such an event, will ultimately help to relay comments/concerns from your members/beneficiaries to us, as well for representatives to give feedback to their members/beneficiaries via their existing internal communication channels. It will be extremely beneficial and greatly appreciated if members of the CPA will avail themselves to attend this open day to engage with the EAP, Applicant and attending Specialist and we do hope that this opportunity for further engagement will add value to the outcome of the public participation process. It must be noted that should there be any members of the CPA, other registered I&APs or members of the General Public, not able to attend the open day engagement session, they will still be able to meaningfully participate in the process via any of the other mechanisms available. Not attending this upcoming event does not exclude stakeholders from giving input and/or engaging with us about this application. With regards to your generous offer of having the meeting at your farm, kindly note that we are mindful of the fact that having a public engagement session, on private land i.e. CPA farm, may deter members of the public and other registered stakeholders from attending. To ensure transparency it is therefore deemed

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	of significant portions of our membership, thereby undermining the legitimacy and fairness of the public participation process. **Proposed Way Forward: Dual Engagement Approach** In light of the above, and in the spirit of constructive engagement, we propose a dual approach that accommodates both the EAP's preference for an open-day format and the CPA's need for meaningful, collective engagement: 1. Proceed with the Open Day at Vleifontein (as currently planned), to accommodate general I&APs and any CPA members who are able to attend; and 2. Convene an Additional Public Meeting specifically to engage with the Chatleka CPA and other affected CPAs, to be held: o On a Saturday or Sunday, to allow working members to participate without loss of income; o At Banderlierkop, approximately 10 km from our farm, which is significantly more accessible to our members; o At a date to be mutually agreed following the open day, to allow adequate time for preparation and notice to members. This dual approach would: • Respect the EAP's chosen format for general stakeholder engagement;	best to have this session at a neutral venue such as the Vleifontein Community Hall. We'd also like to use this opportunity to highlight a number of additional steps that have been initiated in this follow-up public participation period to ensure enhanced inclusivity, transparency, and improve on the overall quality of stakeholder engagement where previous shortfalls have been identified: The DEIR has been updated and an additional 30-Day comment period provided as per the Regulations. 1. Considering the CPAs previous submission, a background information document has been compiled and apart from English, it is also been translated into Tshivenda and circulated to registered I&APs. 2. We have placed follow-up newspaper adverts in English and Tshivenda. 3. We put up additional site notices in English and Tshivenda. 4. In addition to the electronic platforms used to make the DEIR available, provision has been made for hard copies of reports at a number of local venues for any stakeholder who may not have access to the various digital platforms. 5. Facilitation of the open house event, within the ward of the application area, at a venue that is accessible and neutral in support of the ongoing public consultation. 6. We have taken care to ensure that a translator (for Tshivenda speaking individuals who may attend the open house) will be present, also to assist with capturing comments/inputs from people who may not be able to make their own submissions in writing.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Provide the structured, collective forum necessary for the CPA to engage meaningfully on matters affecting our constitutional and statutory rights; • Demonstrate good faith and procedural fairness by accommodating the specific needs of directly affected rights-holders; • Mitigate the financial and logistical barriers that would otherwise exclude many of our members from the process. We believe this proposal represents a reasonable and proportionate accommodation of both parties' concerns, and we respectfully urge the EAP and applicant to give it serious consideration. **Acknowledgment of Financial and Logistical Realities** Finally, we request that the EAP formally acknowledge the financial stress and logistical challenges faced by CPA members in accessing the proposed open-day venue. This acknowledgment is important not only for the record, but to ensure that the public participation process is assessed against the actual—rather than theoretical—accessibility of engagement opportunities. If the EAP is unwilling to provide an additional, more accessible engagement opportunity, we ask that you place on record your reasons for declining to do so, particularly in light of the CPA's status as a directly affected rights-holder with active land claims over the affected area. **Conclusion**	7. Considering the specific concerns previously raised by the CPA with regards to community engagement and more specifically the CPAs land claim, the EAP, Heritage Specialist, Social Specialist and Applicant will be available at the public open day to ensure direct engagement with community members also and/or stakeholder who may be impacted/affected by the proposed activities. 8. We kindly request that the CPA informs its members/beneficiaries of the opportunity to engage with the project team members at the upcoming open day and we sincerely hope that such engagement will be of value.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	We remain committed to constructive engagement and trust that the EAP will give serious consideration to the dual approach we have proposed. We believe this represents a fair and workable solution that respects both the integrity of the public participation process and the legitimate interests of all parties. We look forward to your response at your earliest convenience, given the time-sensitive nature of the EIA process.	
20/11/2025 Via Letter Chatleka CPA Comment received from Mr Motshewa Matimolane	**BRIEF OUTLINING FORMAL OBJECTIONS (TO DATE) TO THE REVISED DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) AND SPECIALIST REPORTS FOR THE DRAAILOOP SOLAR PV FACILITY AND THE WIDER TABOR SOLAR PV CLUSTER** This brief serves as a detailed outline of the formal objections raised by the Chatleka Communal Property Association (CPA) against the Revised Draft Environmental Impact Report (EIR) dated November 2025, prepared by Cape EAPrac (Pty) Ltd on behalf of Mulilo Renewable Energy (Pty) Ltd. We formally request that the objections, legal arguments, and procedural deficiencies raised for the Draailoop Solar PV Facility be formally applied and considered for all projects that constitute the Tabor Solar PV Cluster (Bethel, Klipput, and Makoppa Solar PV Facilities). The CPA represents land claimants under the Restitution of Land Rights Act, 1994, for properties directly and indirectly affected by the proposed development cluster, including but not limited to Portion 1 of Farm 425 LS (Klipput), Remainder of Farm 430 LS	Please refer to the responses provided to each individual point below.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>(Draailoop), Portion 0 of Farm 431 LS (Bethel), and Remainder and Portion 1 of Farm 466 LS (Makoppa).

The CPA's position remains clear: We do not oppose solar development in principle; we oppose the notion that it can be planned and implemented without our participation and prior consent. We resist the assumption that empowerment means leasing ancestral land to outside developers while remaining peripheral to the long-term benefits.

The objections are organized below by theme, detailing the specific grievance, the legal or factual ground for the objection, and the resolution required by the CPA. For more details please refer to the letters of objections and emails by various CPA members.</td><td></td></tr>
<tr><td></td><td>1. Objection Theme: Land Restitution, Ownership, and Constitutional Rights

The core objection is that the Environmental Impact Assessment (EIA) process has fundamentally failed to recognize and appropriately manage the material risk and legal implications arising from the active, unresolved land claims covering the project footprint.

<table>
<tr><th>Objection Raised</th><th>Grounds for Objection</th><th>Resolution Required</th></tr>
<tr><td>1.1. Procedural Inadequacy Regarding Active Claims</td><td>The Draft EIR acknowledges active restitution claims by the</td><td>The EAP must acknowledge that the EIA process is legally obligated to</td></tr>
</table></td><td>Response from Cape EAPrac:

1.1. Response to 'Procedural Inadequacy':

Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th colspan="3">Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>Chatleka CPA, Dithakone, and Matjuda communities. However, the EIR subsequently dismisses these claims by stating that it is “beyond the scope of the EIA process to assess and/or comment on the status of the land claims.” The blanket exclusion of the land restitution dimension renders the assessment incomplete and non compliant with requirements to assess socio-economic impact and equitable</td><td>assess the social, legal, and procedural implications of unresolved claims. Withdraw and revise Section 3.1.11 of the Draft EIR to accurately reflect the existence and full implications of active land claims.</td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		environmental management.		communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.
	1.2. Dismissal of Prior Consent Requirement	The EIR asserts that "**Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim...**" Authorising a 25- to 30 year industrial energy project on claimed land would **irreversibly sterilise it**. This action pre-empts the outcome of the land claim, violating the Restitution Act, which prohibits acts that may "diminish or	**Ensure that no Environmental Authorisation is granted** until Free, Prior, and Informed Consent (FPIC) is obtained from the Chatleka CPA and other affected claimant communities.	**1.2. Response to 'Dismissal of Prior Consent Requirement'** Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. **1.3. Response to 'Contradictory Land Claims Commission Correspondence'** Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th colspan="3">Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>prejudice the rights of any claimant.”</td><td></td><td rowspan="2">portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:
• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.
<table><tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr><tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr><tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr><tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr><tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr><tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr></table>
• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
• 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>1.3. Contradictory Land Claims Commission Correspondence</td><td>The EIR cites contradictory communications from the RLCC Limpopo: letters dated 19 September 2024 and 10 June 2025 reaffirm that claims were lodged prior to 1998, while a letter dated 9 October 2024 states there are no land claims and expresses no objection. The EAP relies primarily on the single letter stating no claims exist, which amounts to selective interpretation of</td><td>Suspend the EIA process immediately until the status of the land claims is definitively resolved and formally confirmed in writing by the Regional Land Claims Commission (RLCC). Disclose all correspondence regarding the status of claims.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th colspan="3">Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>evidence. This creates legal uncertainty and administrative bias.</td><td></td><td rowspan="2"><table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td></td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.

1.4. Response to ‘Flawed and Unenforceable Mitigation Condition’:

<u>RESPONSE FROM APPLICANT</u>

The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land.

However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development.</td></tr>
<tr><td></td><td>1.4. Flawed and Unenforceable Mitigation Condition</td><td>The EIR proposes that if the Claimant is awarded a successful claim, the Applicant will undertake “to engage... and negotiate an option to lease.” This condition is cosmetic and unenforceable. Constructing infrastructure first creates a fait accompli, coercing the new landowners into compliance with a pre-determined development model, which undermines</td><td>The EIA process and decision must require the development of a binding framework that ensures equitable negotiation, compensation, and community benefit, negotiated prior to construction.</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	equitable restitution.	The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	2. Objection Theme: Procedural and Ethical Failures in Stakeholder Engagement (Public Participation) The CPA argues that the Public Participation Process (PPP) was exclusionary and failed to recognize the claimants' special legal status.	**2.1. Response to 'Improper Acceptance of RLCC Instruction to Exclude Claimants':** On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><th>Objection Raised</th><th>Grounds for Objection</th><th>Resolution Required</th></tr>
<tr><td>2.1. Improper Acceptance of RLCC Instruction to Exclude Claimants</td><td>The EIR records that the proponent was verbally advised by the RLCC on 22 September 2025 “not to engage directly with the claimants at this stage.” This alleged instruction was treated as a legitimate basis for excluding claimants from direct consultation. This action violates public participation obligations and the principles of fair administrative process.</td><td>Pause the public consultation process immediately. Develop a differentiated engagement plan to enable direct, structured, face-to-face consultation with the Chatleka CPA, consistent with the principles of FPIC.</td></tr>
</table>
</td><td>create an expectation that the claim will be finalized soon and in the claimants’ favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now.

Considering the above and the comment received:

• The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application.

Access to Reports and Specialist Studies

• Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda).

• Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you.

• If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible.

• Hard copies of the reports are available at:

1. Viva Bandelierkop – N1 Main Road, Bandelierkop</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
	2.2. Treating Claimants as Ordinary I&APs	The EIA process reduced the Chatleka CPA and neighboring CPAs to the status of ordinary Interested and Affected Parties (I&APs). This disregards the special legal status of claimants as potential future legal landowners and violates the principle of restorative justice.	The CPA requests that the EAP recognize claimants as primary social stakeholders and facilitate independent technical and legal support for the claimants during the process.	2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels.
	2.3. Exclusion due to Limited Access to Electronic Communication	The methodology relied primarily on electronic communication and online document dissemination in English. The majority of the	Ensure documents are provided in accessible formats, including vernacular translations or simplified summaries, and	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		CPA's beneficiaries are **illiterate, reside in rural areas, and lack reliable internet access**. Relying on electronic communication effectively excluded the majority of affected members from meaningful participation.	distributed physically in the affected CPA's and communities.	• Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. **2.2. Response to 'Treating Claimants as Ordinary I&APs':**
	2.4. Inadequate Engagement Format and Venue	The EAP proposes continuing the public participation process via the **public open day engagement session at the Vleifontein Community Hall**. The CPA objects, noting that Vleifontein is	The EAP must convene a **structured public meeting** at an appropriate, accessible venue, such as **Banderlierkop** (approximately 10 km from the affected farm) or a local police station, to ensure	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		inaccessible and inappropriate, as members reside primarily in Matoks and Indermark and are predominantly Sepedi-speaking. The open-day format does not allow for the **collective, robust, and transparent engagement** required.	equitable participation.	The EIA process treated the Chatleka CPA as an "ordinary Interested and Affected Party" due to the Environmental Impact Assessment Regulations (2014) classifying all participants under the broad category of I&APs, regardless of their constitutional or land restitution claims. The EIA framework prioritizes procedural uniformity over differentiated legal status, meaning claimant communities like the CPA are not automatically recognized as having special standing in EIA participation. As detailed in the previous response, for purposes of Chapter 5 and activities listed under Section 24, NEMA an Interested and Affected Party (I&AP) is explicitly defined as: - Any person, group of persons, or organization that is interested in or affected by a proposed operation or activity; and - Any organ of state that may have jurisdiction over any aspect of that operation or activity. Neither the Act, nor the regulations differentiate between different "categories" of I&AP's. I&AP's encompass all parties who have an interest or are directly or indirectly affected by the proposed project. This includes those who have a stake or concern, those who face direct or indirect impact, as well as all relevant State Departments or Organs of State. Based on the principles of NEMA, it is neither legally sound nor ethically acceptable to treat I&APs differently based on the nature of their stake in a project. These principles require inclusive participation and **ALL** I&APs must be given equal opportunity to participate in decision-making processes. ALL I&AP's regardless of their interest or how they may be affected by the proposed project have the right to meaningfully participate in the process and
	2.5. Time Constraints	The 30-day comment period is considered insufficient for meaningful engagement among dispersed rural stakeholders.	The CPA requests an extension of the public comment period to allow for proper consultation and independent review.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		also have the responsibility to declare any direct or indirect interests in the proposed activity. **2.3. Response to 'Exclusion due to Limited Access to Electronic Communication':** **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. **2.4. Response to 'Inadequate Engagement Format and Venue':** With careful consideration of the concerns raised regarding the format of the engagement session, we acknowledge that a public meeting is an appropriate way for effective engagement in some instances, we however maintain that in this instance, the open day format provides a fair opportunity for constructive engagement which we submit being better than a meeting format alternative, for the following reasons: 1. In the open day format, stakeholders can attend at a time that suits them best within the event window because of an open day stretching over a much longer period of time (in this instance from 12h00-19h00 i.e. seven hours). With a public meeting format, it requires everyone to be available for both a limited and fixed time i.e. 1.5 – 2hrs, at a set time during the day or evening or both, which may still exclude people

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		who cannot attend at such a fixed time due to i.e. work or personal commitments. The time limitation in particular is also prohibitive because it restricts the time for information sharing and discussions more so than in an open house format that extends for a much longer period. 2. An open day allows for one-on-one, or small group discussions with the EAP, specialist or applicant which is more enabling to stakeholders who can discuss matters that are of interest/concern to them specifically. Whereas a meeting alternative effectively forces attendees to have to listen to issues/matters that are not of their specific interest. Attendees may also not find enough time during such a limited period to fully disclose and/or unpack their specific concerns. 3. We often do find that not all attendees in a meeting format are comfortable speaking up in front of a larger crowd that gather in a public meeting format, some simply being shy, others not feeling comfortable expressing their views/opinions in front of a group/s of people that otherwise may have conflicting views on the same topic for instance. Such a format then discourages detailed or personal inquiries and subsequent engagement. An open house format by nature, creates a safe space for such stakeholders to disclose their inputs/concerns in a manner that is not exposed to the views/opinions of other stakeholders 4. In the open day format, multiple stations or displays present different aspects of the environmental process (e.g., maps, data, timelines), allowing stakeholders to explore and engage on topics that concern them at their own pace. In a public meeting format, information is usually presented in a linear format which limits effective engagement

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		and depending on the nature of people's interest, some disciplines may then become lost in the process. 5. An open day format allows for improved quality of feedback, where stakeholders can engage on concerns individually via written or verbal means, leading to more thorough engagement. In summary, an open day format fosters flexibility, personalized engagement, and a more inclusive, less intimidating environment for some stakeholders, which ultimately leads to better engagement, stakeholder understanding and higher-quality feedback compared to a traditional public meeting format. We therefore feel strongly that the open day format will not detract from constructive engagement and although we take note of your concerns in this regard, we are confident that participation through such a format remains fair and transparent. All specialists/EAP/Applicant will keep notes from discussions and will be sure to record all comments/engagements during this session which we shall be sure to reflect as part of the ongoing public participation process. The key criteria in selecting this venue for the open house was to be able to accommodate all potential stakeholders irrespective of their interest in this application. In selecting this venue, the following was considered amongst others: 1. The Community Hall is accessible to all stakeholders of the community being used for similar events. 2. The Community Hall has good public transport links and parking facilities. This reduces barriers to attendance. 3. The Community Hall is a space people recognise and are familiar with. This encourages meaningful participation and engagement.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		4. The neutrality of the Community Hall avoids perceptions of bias that might arise if the open day was to be held at a private venue. 5. The Community Hall is designed to accommodate larger groups, with seating arrangements that can be adapted for the discussions. 6. The Community Hall also include essential amenities such as restrooms and accessibility features. 7. The Community Hall also has electricity which is needed for the presentations. In summary, the Vleifontein Community Hall offers accessibility, familiarity, flexibility, and inclusivity, making it the most practical and stakeholder-friendly venue for the public open day. We acknowledge that although the dominant home language in the Makhado Municipality is Tshivenda (75.88% according to the Social Impact Assessment), some members of the CPA are predominantly Sepedi speaking (According to the Social Impact Assessment, Sepedi speaking individuals make up 2.31%). To ensure that the Sepedi members are not excluded in terms of communication/information sharing, we have also taken the step of translating the Background Information Document to Sepedi which will also be made available at the open day for further distribution. We have taken the liberty of attaching copies of these BIDs to this email (which we'll also distribute to other registered I&APs) to help with further communication in preparation of the upcoming open day event. You are most welcome to distribute this to a wider audience as well as the beneficiaries that fall under your CPA. We trust that these measures are helpful in improving the communications to date. **2.5. Response to 'Time Constraints':** Three public participation periods have been completed thus far:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• 25 April 2025 – 27 May 2025 (Draft Scoping Report) • 22 August 2025 – 26 September 2025 (Draft Environmental Impact Report) • 07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report) All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. Since the submission of the Final Environmental Impact Report on 06 October 2025, with its subsequent withdrawal to accommodate concerns raised by an Interested and Affected Party relating to the public participation process, notifications of extension contemplated in Regulation 23(1)(B) for the proposed developments were submitted to the DFFE. The Revised Final Environmental Impact Report must therefore be submitted to the competent authority within 156 days from Acceptance of the Final Scoping Report in order to align with the regulated timeframes of the Environmental Impact Assessment Regulations (2014) and the public participation period can therefore not be extended any further.
	3. Objection Theme: Social and Economic Impact Assessment (SIA) Deficiencies The CPA submits a formal objection to the Social Impact Assessment (Appendix E7) on the basis that it is fundamentally flawed due to its narrow scope and failure to address the central social issue of restitution and equitable benefit-sharing.	**3.1. Response to 'Exclusion of Land Claims from SIA Scope':** The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><th>Objection Raised</th><th>Grounds for Objection</th><th>Resolution Required</th></tr>
<tr><td>3.1. Exclusion of Land Claims from SIA Scope</td><td>The SIA explicitly states: “It is beyond the scope of the SIA to assess or comment on the status of the land claims.” This disclaimer eliminates consideration of the key social and legal factor, failing to evaluate the social and economic impacts on people, their rights, and their livelihoods.</td><td>Suspend approval of the SIA pending a full revision. Conduct a Supplementary Social Impact Addendum specifically analyzing land restitution implications, economic justice, and equitable benefit-sharing models.</td></tr>
<tr><td>3.2. Misleading Claim Regarding Social Benefits</td><td>The EIR states that the social benefits of the proposed development “will not be affected by the change of</td><td>The Supplementary Addendum must detail how ownership changes will affect future</td></tr>
</table>
</td><td>The traumatic impacts associated with the loss of land inform the land claim process. The dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim.

3.2. Response to ‘Misleading Claim Regarding Social Benefits’:

The findings of the SIAs (Bethel, Draailoop, Klipput and Makkoppa) assess the potential employment opportunities associated with the construction and operational phase. The significance with mitigation for the Construction (Section 4.3.1) and Operational Phase (Section 4.4.2) for a single PV SEF is rated as Medium Positive for both the Operational and Construction Phase. The impact is not assessed to be High Positive.

The SIA also notes that the creation of employment and business opportunities are confirmed by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024).

In terms of enhancement measures the SIA notes:

- The local authorities, CPAs representatives, and organisations on the interested and affected party database, should be informed of the final decision regarding the project and the potential job opportunities for locals and the employment procedures that the proponent intends following for the construction phase of the project.
- Where feasible, training and skills development programmes for locals should be initiated prior to the initiation of the construction phase.
- The recruitment selection process should seek to promote gender equality and the employment of women wherever possible.

The SIA also notes that the proposed development will generate income of the project landowners (Section 4.4.3). Section 4.4.3 states that as indicated in the</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		ownership." This is a fundamentally flawed assumption, as successful land claimants (the CPA) will have the right to redefine land use, renegotiate lease terms, or reject the development, meaning the assertion pre-empts future ownership decisions.	economic returns and how the project will align with the CPA's post-restitution land use vision.	assumptions (Section 1.5.1), the SIA acknowledges that the project area is subject to land claims. While the ownership of the affected properties may change depending on the outcome of the land claim, the benefits to the project landowners whoever they are will remain. It is beyond the scope of the SIA to assess and or comment on the status of the land claims. If the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss the issue in more detail. **3.4. Response to 'Failure to Assess Impact of Land Use Transformation':** As confirmed by the Agricultural Specialist, the majority of the proposed footprint is not suitable for cultivation. The loss of area that is marginal for grazing is not considered to be significant to the agricultural production of the area. **3.5. Response to 'Absence of Equity or Benefit Sharing Mechanisms':** As outlined in detail above, such consideration cannot take place at this stage of the development process, and can only be done once an energy offtaker is secured and a power purchase agreement entered into. **3.6. Response to 'Failure to Assess Cumulative and Intergenerational Impacts':** The SIA does assess the potential cumulative impact of the combined project and other renewable energy projects on social infrastructure (Section 4.6, cumulative impact on local services and accommodation). The significance is rated as Medium Negative.
	3.3. Overstated Benefits and Marginalization	The SIA concludes positive social benefits despite admitting that employment is temporary, skills dependent, and that local economic participation is constrained by low diversification and	Require the preparation of a **Community Benefit-Sharing and Local Development Plan** detailing binding commitments, such as employment quotas, equity	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		education levels, meaning benefits will largely **bypass the affected claimant** communities. This contradicts the environmental justice principle.	participation, and revenue-sharing options, negotiated with the Chatleka CPA before construction.	
	3.4. Failure to Assess Impact of Land Use Transformation	The SIA identifies the "**reduction of land with natural vegetation for livestock grazing**" as a negative impact but dismisses it as negligible. The transformation of over 300 hectares (for Draailoop) and over 1,000 hectares (across the cluster) undermines the CPA's land use options, which emphasize agriculture,	The SIA must be revised to quantify and mitigate the loss of agricultural and grazing land based on the future land use objectives of the claimant communities.	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		livestock farming, and conservation.		
	3.5. Absence of Equity or Benefit Sharing Mechanisms	The SIA fails to propose a formal benefit-sharing arrangement, community trust, or equity participation structure that would ensure long-term benefits to claimant communities. Without such arrangements, the assertion of a "positive social outcome" is baseless.	This omission must be remedied by a binding plan that ensures community-level benefit, consistent with requirements for projects on ancestral or restitution land.	
	3.6. Failure to Assess Cumulative and Intergenerational Impacts	The SIA treats the Draailoop facility in isolation, failing to assess cumulative social impacts across the Tabor Cluster, including combined land	Require a **Cumulative Social Impact Assessment** for the full Tabor Cluster, considering long-term and	

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><td></td><td>transformation. It also ignores intergenerational impacts—how future generations of land claimants will inherit land industrially transformed for 25–30 years.</td><td>intergenerational social consequences in light of the restitution mandate.</td></tr>
</table>
4. Objection Theme: Heritage and Cultural Landscape Impacts

The CPA objects to the Heritage Impact Assessment (HIA, Appendix E4) due to substantive incompleteness, procedural violations regarding consultation, and a narrow focus that excludes living heritage.
<table>
<tr><th>Objection Raised</th><th>Grounds for Objection</th><th>Resolution Required</th></tr>
<tr><td>4.1. Inadequate Consultation on Heritage</td><td>The HIA notes no direct engagement with the Chatleka CPA or other affected claimant communities, despite acknowledging</td><td>Suspend the heritage authorisation process until meaningful consultation has occurred with the Chatleka CPA to document living</td></tr>
</table>
</td><td>4.1. Response to ‘Inadequate Consultation on Heritage’:

<u>RESPONSE FROM HERITAGE SPECIALIST</u>

Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA.

A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

4.2. Response to ‘Exclusion of Living and Intangible Heritage’:

<u>RESPONSE FROM HERITAGE SPECIALIST</u>

It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process.

The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		the active restitution claims over the area. This violates the legal requirement for consultation with communities whose heritage resources may be affected. The CPA holds living oral histories, ancestral sites, and community graves in the area that were not documented.	heritage, sacred sites, and oral histories.	that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the report. **4.3. Response to 'Dismissive Valuation without Participatory Validation':** **<u>RESPONSE FROM HERITAGE SPECIALIST</u>** It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the report. **4.4. Response to 'Absence of a Verified Map of Heritage Exclusion Zones':** Site Layout Plans of the Preferred Alternative are included in the Revised Environmental Impact Reports as well as included as Appendix D1. The Site Layout Plans portrays "No-Go" areas (including identified heritage areas) which are excluded from the development footprint. **4.5. Response to 'Missing Conservation Management Plan (CMP)':** **<u>RESPONSE FROM HERITAGE SPECIALIST:</u>** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the
	4.2. Exclusion of Living and Intangible Heritage	The HIA focuses predominantly on archaeological materials (stone tools, ceramics) but fails to assess the **living cultural landscape**, including sacred sites and intangible cultural values central to	Conduct a **Supplementary Heritage Impact Addendum** incorporating oral history, living heritage, and the full restitution context.	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		the CPA's identity and restitution objectives. This presents an incomplete picture and reduces the CPA's history to static objects.		development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.
	4.3. Dismissive Valuation without Participatory Validation	The EIR includes the statement that "**the area proposed for development has insufficient value to warrant formal protection**." This conclusion was reached without participatory validation from the communities of origin, making the valuation scientifically and ethically invalid.	The revised HIA must involve the Chatleka CPA in defining and valuing the cultural significance of the land.	
	4.4. Absence of a Verified Map of	The HIA recommends	**Map and disclose all identified**	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
	Heritage Exclusion Zones	excluding sensitive areas like granite koppies, but the EIR does not include a **verified layout map** confirming the exact exclusion zones. Without mapped verification, communities cannot ensure construction boundaries avoid sensitive areas.	**heritage sites** (koppies, burial grounds, archaeological features) in consultation with the CPA. Ensure a detailed map confirms that all burial sites and other heritage sites are excluded from development.	
	4.5. Missing Conservation Management Plan (CMP)	The HIA recommends the preparation of a CMP, but the report does not provide it, nor confirm that one has been prepared, adopted, or reviewed. Proceeding	Develop and implement a **binding Conservation Management Plan (CMP)** in collaboration with the Chatleka CPA and neighboring claimants, approved by the relevant heritage	

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><td></td><td>without this key mitigation measure contradicts the report's own findings.</td><td>authorities prior to any construction activity.</td></tr>
</table>
5. Objection Theme: Legal Misapplication and Agricultural Compliance

The CPA objects to the EAP's interpretation of legal exemptions and notes specific non compliance in the agricultural assessment.
<table>
<tr><th>Objection Raised</th><th>Grounds for Objection</th><th>Resolution Required</th></tr>
<tr><td>5.1. Misuse of Strategic Integrated Project (SIP) Status</td><td>The EIR asserts that "Landowner consent is not required for Strategic Integrated Projects." SIP designation expedites administrative coordination but does not override constitutional rights, pending</td><td>Provide a written legal justification for applying the SIP exemption to land under active restitution claim. Disclose the SIP Confirmation Letter and any related legal opinion.</td></tr>
</table>
</td><td>
5.1. Response to 'Misuse of Strategic Integrated Project (SIP) Status':

Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – Activity on land owned by person other than proponent states -

• (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land.

Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report.

• (2) – Subregulation (1) does not apply in respect of –
  ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.

In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects.
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		land claims, or participatory provisions. Using SIP classification to bypass consent sets a dangerous precedent of development before justice.		**5.2. Response to 'Non compliance with Agricultural Limits':** The footprint of the Draailoop Solar PV has been reduced to remain within the allowable agricultural limits. Please refer to the Site Layout Plan attached in Appendix D1, which shows the reduced footprint of the facility. **5.3. Response to 'Cumulative Environmental Justice Concerns':** The comment appears to imply, firstly, that the land claims will be successful, and secondly, that the proposed Tabor PV SEF Cluster will be developed. In terms of the first assumption, the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. In terms of the land claims the SIA notes that the Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for all 5 properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. In terms of the second assumption, if the claims are successful, the developers of the proposed Tabour PV Cluster project will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss concerns regarding the proposed PV SEF development and the impact ancestral land. In terms of the "displace local agricultural livelihoods", if the claims are successful, the developers of the proposed Tabour PV Cluster project will be
	5.2. Non compliance with Agricultural Limits	The CPA submitted a formal objection stating that the proposed Draailoop development **exceeds allowable limits by 193.8 ha.**	The current **Agricultural Compliance Statement must be rejected** for non compliance and its failure to assess the long-term impact on the future agricultural economy of the claimants.	
	5.3. Cumulative Environmental Justice Concerns	The Tabor Cluster (four projects) covers **over 1,000 hectares** and represents 795 MW of	Require a comprehensive cumulative impact assessment addressing all four projects and their	

Date of Comment, format of comment, name of organization/I&AP	Comment			Response[3]
		development. If authorised, claimant communities would inherit land that is environmentally and economically compromised due to permanent transformation, defeating the purpose of restitution.	combined environmental justice implications.	required to engage with the new landowners. These engagements would provide an appropriate forum to discuss concerns regarding the proposed PV SEF development and potential to accommodate other land uses, including agriculture.
	6. Comprehensive Summary of Requested Actions In light of the substantial legal, procedural, and ethical deficiencies detailed above, the Chatleka CPA formally requests the following immediate actions: 1. **Suspend the entire EIA process** for the Draailoop Solar PV Facility and the wider Tabor Cluster until the status of the land claims is formally and definitively clarified in writing by the RLCC. **2. Withdraw the current EIR and SIA conclusions** and revise all documentation to accurately reflect the existence and legal implications of active land claims. **3. Conduct a supplementary assessment (Social, Heritage, and Restitution Impact Addendum)** addressing land restitution			**RESPONSE FROM APPLICANT** The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land. However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	implications, economic justice/benefit-sharing, and living cultural heritage, engaging directly with the CPA in this process. **4. Initiate transparent, structured, and inclusive engagement** with the Chatleka CPA and neighboring claimant communities, abandoning the unsuitable Vleifontein open day format and instead utilizing a structured public meeting at an accessible, agreed upon venue like Banderlierkop. **5. Disclose all correspondence** regarding engagement restrictions (including the alleged RLCC instruction) and the application of SIP status to contested land. 6. Require the development and binding commitment to a **Community Benefit-Sharing framework** and a **Conservation Management Plan (CMP)** in collaboration with the CPA before construction. 7. Ensure that **no Environmental Authorisation is granted** by the Competent Authority (DFFE) until the procedural defects and equity concerns are fully remedied and **Free, Prior, and Informed Consent (FPIC)** is obtained from the claimant communities. The Chatleka CPA reiterates that we **do not oppose renewable energy in principle**; we oppose development on our ancestral land in a manner that excludes us from participation, decision-making, and long-term benefit. Failure to address these concerns will lead the CPA to register a formal complaint with the Department of Forestry, Fisheries and the Environment (DFFE) concerning the inadequacy of public participation. This brief provides a non-exhaustive summary of the objections submitted to date. We expect a full and comprehensive response to each	The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	individual objection submitted by any means (letter, email, or otherwise). The CPA will also be submitting additional inputs during the current comment and response period. We appreciate your ongoing engagement and look forward to your response on the above matters. We trust that the public participation process will be adapted to ensure fairness, accessibility, and meaningful involvement for all affected parties.	
20/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	Please find attached the formal and detailed legal brief submitted by the Chatleka Communal Property Association (CPA), dated 20 November 2025, which constitutes comprehensive summary of objections submitted to date to the Revised Draft Environmental Impact Report (EIR) for the Draailoop Solar PV Facility and the wider Tabor Solar PV Cluster. We explicitly request that the objections, arguments, and procedural deficiencies raised in the attached brief be formally applied and considered for all projects that constitute the Tabor Solar PV Cluster, including Bethel Solar PV, Klipput Solar PV, and Makoppa Solar PV. The primary grounds for our objection center on the failure to recognize active land claim rights, the inadequate assessment of restitution impacts in the Social and Heritage reports, and fatal procedural defects related to the exclusion of the CPA from direct consultation. We note that Cape EAPrac has acknowledged receipt of our input and confirmed that the concerns are under consideration by the applicant, social specialist, and heritage specialist. In light of	The responses to the legal brief submitted via email of 20/11/2025 are included above. It is noted that the CPA's primary ground for objection centre around failure to recognize active land claim rights, the inadequate assessment of restitution impacts in the Social and Heritage reports, and fatal procedural defects related to the exclusion of the CPA from direct consultation. This statement is however incorrect. The EIA process including the Social Impact Assessment has indeed explicitly recognised the active land claims on certain of the properties affected by the proposed Draailoop, Bethel, Klipput and Makoppa PV Facilities. The statement made that the CPA has been excluded from direct consultation is also incorrect. Various members of the CPA (both ordinary members and members of the Executive Committee) have engaged directly with the EAP on numerous occasions. The CPA was also invited to attend the Open Day held at the Vleifontein Community Hall. A summary of all key issues raised is included at the beginning of this comments and responses report as well as in section 8 of the EIR. This comment and responses report then provides a response to each comment received.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the complexity and critical legal nature of the issues raised (including contradictory correspondence from the Land Claims Commission), we urgently request the following:	
	1. Detailed Explanation of Processing: We require a detailed, written explanation of the methodology that will be used to process and formally respond to these comprehensive objections, specifically outlining how the EAP will ensure full integration of input from the specialists and the applicant before submission of the Final EIR to the Competent Authority.	All comments received from any I&AP are firstly captured in the comments and responses report. Should a comment require an immediate response (i.e. clarification arrangements for public open day etc) these are responded to immediately to ensure that no party is excluded from the opportunity to engage. All comments and concerns are analysed by the EAP once they are received. Comments requiring further input from specialists are provided to the specialists for consideration and response. Comments requiring input from the applicant are provided to the applicant for consideration and response. Should any of the comments justify changes to the proposal (including, but not limited to layout changes), these are communicated to the applicant in order to affect such changes. Once responses are received from the specialists and/or applicant and necessary changes to the proposal are affected, each and every comment is responded to in this comments and responses form.
	2. Extension of Commenting Period: The current commenting period extends until 08 December 2025. We suggest that more time be allowed to ensure both adequate opportunity for the further structured engagement requested by the CPA (e.g., a public meeting at Banderlierkop) and to allow the applicant sufficient time to properly consider the substantial implications of the land claim status and the requested revisions to the specialist	The environmental process is subject to legislated timeframes and defines a timeframe in which a final Environmental Impact report must be provided, failing which, the application lapses. There is unfortunately not sufficient time remaining within the legislated timeframes to extend the commenting period. It must be noted however that a total of 90 days comment period has been

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	studies. We previously requested an extension of the public comment period to allow for proper consultation and independent review. We trust that this submission will receive the urgent and serious attention required to rectify the procedural and substantive shortcomings of the assessment process.	provided throughout this environmental process, which is deemed more than sufficient for I&AP's to adequately consider the implications of the project.
20/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	I am writing to follow up on our correspondence dated 14 November 2024 (see email below), to which we have not yet received a response. As the date of the proposed public open day approaches—an approach we have already indicated strong reservations about—it is important that the Chatleka CPA receives clarity on the key issues raised in that letter, particularly regarding: 1. Accessibility and Demographics, and 2. Format and Quality of Engagement. As highlighted previously, the concerns raised by our members regarding the suitability of the Vleifontein venue and the open-day engagement format remain unresolved. These factors materially affect the ability of our members—most of whom reside in Matoks and Indermark and are predominantly Sepedi-speaking—to participate meaningfully in the EIA process. Similarly, the open-day format does not provide the structured, collective platform necessary for robust public engagement, which is central to the intent of the public participation process.	Thank you for your email and continued engagement in this regard. With careful consideration of the concerns raised regarding the format of the engagement session, we acknowledge that a public meeting is an appropriate way for effective engagement in some instances, we however maintain that in this instance, the open day format provides a fair opportunity for constructive engagement which we submit being better than a meeting format alternative, for the following reasons: 1. In the open day format, stakeholders can attend at a time that suits them best within the event window because of an open day stretching over a much longer period of time (in this instance from 12h00-19h00 i.e. seven hours). With a public meeting format, it requires everyone to be available for both a limited and fixed time i.e. 1.5 – 2hrs, at a set time during the day or evening or both, which may still exclude people who cannot attend at such a fixed time due to i.e. work or personal commitments. The time limitation in particular is also prohibitive because it restricts the time for information sharing and discussions more so than in an open house format that extends for a much longer period. 2. An open day allows for one-on-one, or small group discussions with the EAP, specialist or applicant which is more enabling to

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	We therefore respectfully request your written response to the issues outlined in the letter, particularly whether the EAP and applicant are willing to: Reconsider the venue to ensure accessibility and demographic appropriateness, and Provide a structured, formal public meeting format in place of, or in addition to, the proposed open-day format. We also reiterate our openness to constructive dialogue with the applicant, provided the purpose, basis, and expected outcomes of any separate meeting are clearly communicated in advance. As stated, all arrangements can be coordinated through: Mr Motshewa Matimolane Email: motshewamatimolane@gmail.com Cell: 083 467 6947 with Mr Maphala (CPA Chairperson) copied to ensure continuity. Given the time-sensitive nature of the EIA process, as well as the extended comment and response period, we respectfully request a response at your earliest convenience to enable all affected parties to plan and engage appropriately. In addition, we kindly request clarity on the process and anticipated timeframe for addressing and responding to the objections and concerns we have submitted. This information is essential to ensure that our participation remains informed, meaningful, and aligned with the statutory timelines of the EIA process. Thank you for your continued engagement. We look forward to your clarification on these outstanding matters.	stakeholders who can discuss matters that are of interest/concern to them specifically. Whereas a meeting alternative effectively forces attendees to have to listen to issues/matters that are not of their specific interest. Attendees may also not find enough time during such a limited period to fully disclose and/or unpack their specific concerns. 3. We often do find that not all attendees in a meeting format are comfortable speaking up in front of a larger crowd that gather in a public meeting format, some simply being shy, others not feeling comfortable expressing their views/opinions in front of a group/s of people that otherwise may have conflicting views on the same topic for instance. Such a format then discourages detailed or personal inquiries and subsequent engagement. An open house format by nature, creates a safe space for such stakeholders to disclose their inputs/concerns in a manner that is not exposed to the views/opinions of other stakeholders 4. In the open day format, multiple stations or displays present different aspects of the environmental process (e.g., maps, data, timelines), allowing stakeholders to explore and engage on topics that concern them at their own pace. In a public meeting format, information is usually presented in a linear format which limits effective engagement and depending on the nature of people's interest, some disciplines may then become lost in the process. 5. An open day format allows for improved quality of feedback, where stakeholders can engage on concerns individually via written or verbal means, leading to more thorough engagement. In summary, an open day format fosters flexibility, personalized engagement, and a more inclusive, less intimidating environment for some stakeholders,

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		which ultimately leads to better engagement, stakeholder understanding and higher-quality feedback compared to a traditional public meeting format. We therefore feel strongly that the open day format will not detract from constructive engagement and although we take note of your concerns in this regard, we are confident that participation through such a format remains fair and transparent. All specialists/EAP/Applicant will keep notes from discussions and will be sure to record all comments/engagements during this session which we shall be sure to reflect as part of the ongoing public participation process. The key criteria in selecting this venue for the open house was to be able to accommodate all potential stakeholders irrespective of their interest in this application. In selecting this venue, the following was considered amongst others: 1. The Community Hall is accessible to all stakeholders of the community being used for similar events. 2. The Community Hall has good public transport links and parking facilities. This reduces barriers to attendance. 3. The Community Hall is a space people recognise and are familiar with. This encourages meaningful participation and engagement. 4. The neutrality of the Community Hall avoids perceptions of bias that might arise if the open day was to be held at a private venue. 5. The Community Hall is designed to accommodate larger groups, with seating arrangements that can be adapted for the discussions. 6. The Community Hall also include essential amenities such as restrooms and accessibility features.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		7. The Community Hall also has electricity which is needed for the presentations. In summary, the Vleifontein Community Hall offers accessibility, familiarity, flexibility, and inclusivity, making it the most practical and stakeholder-friendly venue for the public open day. We acknowledge that although the dominant home language in the Makhado Municipality is Tshivenda (75.88% according to the Social Impact Assessment), some members of the CPA are predominantly Sepedi speaking (According to the Social Impact Assessment, Sepedi speaking individuals make up 2.31%). To ensure that the Sepedi members are not excluded in terms of communication/information sharing, we have also taken the step of translating the Background Information Document to Sepedi which will also be made available at the open day for further distribution. We have taken the liberty of attaching copies of these BIDs to this email (which we'll also distribute to other registered I&APs) to help with further communication in preparation of the upcoming open day event. You are most welcome to distribute this to a wider audience as well as the beneficiaries that fall under your CPA. We trust that these measures are helpful in improving the communications to date. We look forward to further continuous engagement with the CPA as this environmental process progresses.
20/11/2025 Via Letter Chatleka CPA Comment received from Mr Motshewa Matimolane	**FORMAL OBJECTION TO THE AGRICULTURAL COMPLIANCE STATEMENT FOR THE PROPOSED DRAAILOOP SOLAR PV FACILITY – VIOLATION OF GN 320 (2020), FAILURE TO CONSIDER LAND CLAIM RIGHTS, AND INADEQUATE CONSULTATION** **1. Introduction**	Please refer to the responses provided below.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>The Chatleka Communal Property Association (CPA), representing the land claimants under the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), submits this formal objection to the Agricultural Compliance Statement for the proposed Draailoop Solar PV Facility and associated infrastructure, prepared by TerraAfrica Consult in July 2025 in terms of Government Notice 320 of 2020 (GN 320).

The proposed development is located on ancestral land that is subject to an unresolved land restitution claim by the Chatleka CPA and neighbouring claimant communities, covering:

• Portion 1 of Farm 425 LS (Klipput)
• Remainder of Farm 430 LS (Draailoop)
• Farm 431 LS (Bethel/Makoppa area)

The facility forms part of the Tabor Solar PV Cluster, which also includes the Bethel, Klipput, and Makoppa Solar PV projects.

This objection is grounded on legal, procedural, and substantive flaws in the agricultural assessment that render the Compliance Statement invalid and non-compliant.</td><td></td></tr>
<tr><td></td><td>2. Core Objection: Violation of GN 320 (2020) – Exceedance of Allowable Development Limits

The Agricultural Compliance Statement confirms a direct contravention of GN 320 of 2020, which prescribes the maximum allowable development footprint for renewable energy projects.

<table><tr><th>Parameter</th><th>GN 320 Allowance</th><th>Draailoop Proposal</th><th>Exceedance</th></tr></table></td><td><u>RESPONSE FROM AGRICULTURAL SPECIALIST</u>

The original layout for the Draailoop PV project had a development footprint of 855.1 ha, exceeding the Allowable Development Limits by 193.8 ha, including 193.8 ha of land with Low agricultural sensitivity.

However, since the Agricultural Compliance Statement was first submitted, a new mitigated preferred alternative layout was provided that has a smaller development footprint. The new development footprint now includes:</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><td>Project capacity</td><td>240 MW</td><td>240 MW</td><td>-</td></tr>
<tr><td>Allowable area (Low Sensitivity land)</td><td>2.5 ha/MW = 600 ha</td><td>793.8 ha</td><td>+193.8 ha</td></tr>
<tr><td>Total project boundary</td><td>-</td><td>857 ha</td><td>+257 ha</td></tr>
</table>
Despite acknowledging the exceedance, the specialist concludes that the project is “acceptable” because the excess occurs on “Low agricultural sensitivity” land. This reasoning is legally and technically unsound. The GN 320 limits are quantitative statutory thresholds, not discretionary guidelines. Their exceedance invalidates the compliance statement.

The Chatleka CPA objects on the grounds that the proposed Draailoop Solar PV Facility exceeds the legally allowable agricultural development limits and therefore fails to comply with GN 320 of 2020.</td><td>• 555.8 ha of land with Low Agricultural sensitivity; and
• 26.8 ha of land with Medium Agricultural sensitivity.

Both sensitivity classes now fall within the Allowable Development Limits for a 240 MW project.

The Allowable Development Limits do not consider the total area within the project boundary, as per the definition in GNR320 (Section 2 on pg 31-32 of GNR 320).

The agricultural compliance statement is therefore still valid and cannot be considered legally and technically unsound.</td></tr>
<tr><td></td><td>3. Land Ownership and Rights Ignored

The Compliance Statement fails to disclose or address the existence of an active land claim by the Chatleka CPA and other communities.

This omission represents a serious procedural flaw in the EIA process and directly violates the Restitution of Land Rights Act</td><td>Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>(1994) and the principles of Free, Prior and Informed Consent (FPIC).

The report proceeds on the false assumption that the land is available for development, effectively undermining the pending restitution process and the CPA's right to determine land use post-restoration.

Approving the project under these conditions would prejudice the restitution outcome and compromise the community's constitutional right to land restitution.</td><td>Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
• 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.
Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – Activity on land owned by person other than proponent states -

(1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land.

Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report.

(2) – Subregulation (1) does not apply in respect of –

(c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.

</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. **RESPONSE FROM APPLICANT** The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land. However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development. The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	4. Loss of Grazing Land and Livelihoods The assessment acknowledges that the project area is currently used for livestock and game farming, including the Makoppa Game Farm with active hunting operations. • The project footprint (857 ha) will be fenced off for 25–30 years, eliminating access to grazing land. • Based on a grazing capacity of 9 ha/LSU, this represents a loss of 95 Large Stock Units (LSU). "The project boundary area will temporarily be fenced off and won't be available for grazing for the life of the project." (Section 7.5.2, p.25)	**RESPONSE FROM AGRICULTURAL SPECIALIST** Mitigation measures have been provided in Section 9.2.1 of the Agricultural Compliance Statement. These mitigation measures are focussed on ensuring that there are no harmful impacts on the agricultural activities on neighbouring landowners and that there is sufficient consideration for the farming activities of current landowners. Since photovoltaic projects is ultimately a land use change within the development footprint, the report states that the impact on grazing activities starts during the construction phase and can only recover after decommissioning. It was also stated that mitigation options for this impact is limited and the best mitigation measure is to limit the development footprint to as small as possible.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>This loss is long-term and effectively permanent, resulting in direct economic harm to local farmers and future CPA landholders.

No mitigation, compensation, or benefit-sharing is proposed.</td><td>This was done by the applicant since the initial reports were submitted and the development footprint of the Draailoop PV project was reduced with 272.5 ha.

It is outside the scope of works and the reporting requirements of GNR320 for Agricultural Compliance Statements to provide recommendations on compensation or benefit-sharing.</td></tr>
<tr><td></td><td>5. Cumulative Regional Impacts

The report identifies seven other renewable energy projects within a 30 km radius—including Bethel, Klipput, and Makoppa—yet downplays the combined agricultural impact.

The cumulative assessment itself shows:

<table><tr><th>Impact</th><th>Significance</th><th>Reversibility</th><th>Mitigation</th></tr><tr><td>Decrease in available farmland</td><td>Medium (44)</td><td>Low</td><td>Cannot be mitigated</td></tr><tr><td>Soil erosion risk</td><td>Medium (33)</td><td>Low</td><td>Cannot be mitigated</td></tr><tr><td>Soil pollution risk</td><td>Medium (30)</td><td>Low</td><td>Cannot be mitigated</td></tr></table>
These findings confirm that the regional loss of agricultural land is medium in significance, negative, and irreversible, contradicting DALRRD’s mandate to preserve productive land.</td><td><u>RESPONSE FROM AGRICULTURAL SPECIALIST</u>

The extent to which cumulative impacts can be mitigated and managed, is limited because individual projects have different developers that ultimately take responsibility for the implementation of these measures. This has been acknowledged in the section on Cumulative Impacts within the Agricultural Compliance Statement

For soil and agricultural land use impacts, the best mitigation measure is to limit the development footprint to as small as possible. This leaves more land for agricultural land use and limits the areas where soil is at risk of soil pollution, compaction and soil erosion.

Since the original Agricultural Compliance Statements were submitted, new mitigated preferred alternative layouts were provided for all four the proposed PV projects (Bethel, Draailoop, Klipput and Makoppa). All four these layouts have a reduced development footprint in comparison to the ones originally evaluated. The development footprint of the projects was reduced as follow:

• Bethel PV from 623.9 ha to 505.9 ha (development footprint reduced with 118 ha)
• Draailoop PV from 855.1 ha to 582.6 ha (development footprint reduced with 272.5 ha)
• Klipput PV from 599.9 ha to 503.9 ha (development footprint reduced with 96 ha)</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The project thus contributes to a regional pattern of agricultural land conversion that undermines land reform and food security.	• Makoppa PV from 340.4 ha to 252.5 ha (development footprint reduced with 87.9 ha) The total cumulative reduction in the proposed development footprints now leaves an additional 574.4 ha available for agricultural land use.
	6. Soil Degradation and Environmental Risks The specialist identifies medium significance impacts from soil compaction, erosion, and pollution. Additionally, site verification was incomplete, with two grid connection corridors inaccessible during fieldwork (p.13). These data gaps reduce the reliability of conclusions on soil sensitivity and mitigation effectiveness. The proposed development will cause long-term soil degradation, contravening the Conservation of Agricultural Resources Act (Act 43 of 1983).	Please note that **two areas** (one area located in Grid Connection Corridor Alternative 2 and one area located in Grid Connection Corridor Alternative 3) were not accessible. The statement that "*… two grid connection corridors inaccessible during fieldwork"* is therefore incorrect. Please also note that the entire Preferred Grid Connection Alternative (Alternative 1) was accessible during the site inspection. Please also refer to Figure 8 in the Agricultural Compliance Statements which clearly indicates the two areas that were not accessible during fieldwork. The Agricultural Compliance Statement is attached as Appendix E5 to the Final Environmental Impact Report.
	7. Procedural and Consultation Deficiencies The Chatleka CPA and neighbouring claimant communities were not consulted during the agricultural assessment. The Compliance Statement also omits: • Any acknowledgment of claimant status; • DALRRD input or verification; and • Consideration of restitution and social justice implications.	Please note that the Environmental Impact Report, to which the Agricultural Compliance Statement is appended, fully notes and acknowledges land claims associated with the proposed development properties. Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow: • 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>These omissions violate Section 2(4)(f) of NEMA, which mandates inclusive and equitable public participation.

We regard this exclusion as a fatal procedural defect and request that the Competent Authority invalidate the Compliance Statement pending full claimant consultation.</td><td>extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td><td></td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
• 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td></td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.

The Department of Agriculture, Land Reform and Rural Development (DALRRD) is included in the Stakeholder Register for the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV. The DALRRD have been given the opportunity to review and comment on the Draft Scoping Report, Draft Environmental Impact Report and the Revised Environmental Impact Report.</td></tr>
<tr><td></td><td>8. Economic and Social Justice Considerations

• The applicant, Mulilo Renewable Energy, is a private company, with no evidence of community ownership or benefit-sharing.
• The project will displace local agricultural livelihoods without offering economic alternatives.
• Once restitution is finalised, the land will be encumbered for decades, denying claimants the</td><td>Kindly note that Mulilo Renewable Energy are not the applicants in respect of these applications.

<u>RESPONSE FROM THE APPLICANT:</u>

The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring.</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	opportunity to pursue any other use including agricultural, eco-tourism, or mixed-use projects. Renewable energy must not become a new form of land dispossession. Development on claimed land must include the direct participation and benefit of claimant communities.	The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so. **RESPONSE FROM THE SOCIAL SPECIALIST.** In terms of the land claims the SIA notes that the Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for all 5 properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. In terms of the “displace local agricultural livelihoods”, if the claims are successful, the developers of the proposed Tabour PV Cluster project will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss concerns regarding the proposed PV SEF development and potential to accommodate other land uses, including agriculture.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
9. Legal and Constitutional Framework
The proposed project contravenes the following legal provisions:
<table>
<tr><th>Legislation</th><th>Key Violation</th></tr>
<tr><td>Restitution of Land Rights Act (1994)</td><td>Failure to recognise and consult land claimants</td></tr>
<tr><td>GN 320 of 220</td><td>Exceeds allowable development footprint by 194 ha</td></tr>
<tr><td>NEMA</td><td>Exclusion of affected parties; inadequate participation</td></tr>
<tr><td>Subdivision of Agricultural Land Act (1970)</td><td>Change of land use without Ministerial approval</td></tr>
<tr><td>CARA (1983)</td><td>Soil degradation and loss of agricultural potential</td></tr>
<tr><td>Constitution, Section 25</td><td>Undermines restitution and economic rights and claimants</td></tr>
</table>
</td><td>
Please note that the Environmental Impact Report, to which the Agricultural Compliance Statement is appended, fully notes and acknowledges land claims associated with the proposed development properties. Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract

</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>below as well as Appendix G1d attached the Final Environmental Impact Report.

The new mitigated preferred alternative layout for the project is within the Allowable Development Limits for a 240 MW project. The development footprint consists of 555.8 ha land with Low agricultural sensitivity and 26.8 ha of land with Medium agricultural sensitivity.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>10. Specific Requests

The Chatleka CPA formally requests the following actions:

1. Suspend the EIA process until the land claim status is formally clarified by the Regional Land Claims Commission (RLCC).</td><td>Duly noted. Please refer to the responses provided above.

<u>RESPONSE FROM APPLICANT</u>

The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land.</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. Reject the current Agricultural Compliance Statement for non-compliance with GN 320 of 2020. 3. Conduct a revised agricultural assessment with full participation of the Chatleka CPA and DALRRD. 4. Disclose all correspondence between EAPrac, Mulilo Renewable Energy, and the RLCC regarding claimant engagement. 5. Ensure no environmental authorization is granted without Free, Prior, and Informed Consent (FPIC) from claimant communities.	However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development. The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter.
	11. Conclusion The Agricultural Compliance Statement for the Draailoop Solar PV Facility is legally, procedurally, and substantively flawed. It fails to: • Recognise land claimants' rights, • Comply with GN 320 development limits, • Address the permanent loss of agricultural land and livelihoods, and • Uphold constitutional principles of equity, justice, and restitution.	Please refer to the responses provided above.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The Chatleka CPA does not oppose renewable energy, but we strongly oppose development that proceeds without our consent and at the expense of our land, rights, and future. We therefore call upon Cape EAPrac, Mulilo Renewable Energy, and the DFFE to: • Halt the authorisation process, • Undertake inclusive engagement with all claimant communities, and • Reassess the project's agricultural feasibility in line with land restitution principles.	
20/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	Please find attached our formal objection to the Agricultural Compliance Statement for the proposed Draailoop Solar PV Facility and associated projects within the Tabor Solar PV Cluster. This objection is submitted on behalf of the Chatleka Communal Property Association (CPA), representing land claimants under the Restitution of Land Rights Act, 1994. **Key Grounds for Objection:** 1. Non-compliance with GN 320 of 2020 - the proposed development exceeds allowable limits by 193.8 ha 2. Failure to recognise and consult with land claimants holding active restitution claims over the affected properties 3. Violation of constitutional rights and procedural requirements under NEMA	We hereby acknowledge receipt of your below email and the and the attached comment. This comment has been provided to the agricultural specialist for consideration. We will provide a formal response in due course. Although South Africa is geographically vast, the selection of sites for renewable energy projects is not based solely on land availability. Critical factors such as solar irradiance, grid connectivity, environmental constraints, and proximity to existing infrastructure significantly influence site suitability. Relocating projects to distant provinces like the Northern Cape or Limpopo could introduce substantial technical, financial, and environmental challenges, including increased transmission losses and higher infrastructure costs. The footprint of the development has been reduced to fall within the allowable development limits outlined in GN320. The proposed sites have been identified in accordance with national energy planning frameworks, including the Integrated Resource Plan (IRP) and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	4. Inadequate assessment of cumulative impacts and permanent loss of agricultural land and livelihoods The proposed facilities are located on ancestral land subject to unresolved land claims by the Chatleka CPA and neighbouring communities, including Portion 1 of Farm 425 LS (Klipput), Remainder of Farm 430 LS (Draailoop), and Farm 431 LS (Bethel/Makoppa area). We respectfully request that: • The EIA process be suspended until land claim status is clarified by the Regional Land Claims Commission • The current Agricultural Compliance Statement be rejected for non-compliance • No environmental authorization be granted without Free, Prior, and Informed Consent from claimant communities We trust this objection will be given due consideration and look forward to your written acknowledgment of receipt.	Strategic Environmental Assessment (SEA) for Renewable Energy. These frameworks aim to balance energy security, environmental sustainability, and socio-economic development. The EIA process ensures that land tenure and heritage concerns are properly assessed and mitigated before any authorisation is granted.
18/11/2025 Via Letter Chatleka CPA Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association	**Formal Response to Proposed Site Visit and Requirement for a Comprehensive Living Heritage Assessment (Tabor PV cluster)** Dear Mr. Wiltshire and Mr. Holder, We acknowledge receipt of your emails dated 14 November 2025, confirming the consideration of the Chatleka CPA's formal objection to the Heritage Assessment Study.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	We view Mr. Wiltshire's offer for a site visit on Wednesday, 26th November, to conduct detailed recordings of graves at Tabor PV cluster proposed project sites as a necessary first step towards meaningful engagement. However, we must immediately clarify that this meeting cannot proceed as a standard, limit loco-inspection. The fundamental flaw in the current Heritage Impact Assessment (HIA) requires a complete expansion of its scope, and the challenges we face require significant resource commitment from the Project Proponent.	
	1. Core Objection: Failure to Assess Living Cultural Landscape The central point of the Chatleka CPA's objection to the HIA is not merely the omission of graves, but the complete failure to assess our living cultural landscape and intangible heritage. The current HIA focuses predominantly on archaeological artefacts (stone tools, ceramics and rock shelters) and fails to address the ongoing, spiritual relationship the Chatleka people have with our ancestral land. This omission renders the HIA legally deficient, as it directly contravenes Section 3(2) of the National Heritage Resources Act (NHRA, Act 25 of 1999), which explicitly defines heritage resources to include: "*Places to which oral traditions are attached or which are associated with living heritage.*" By focusing only on the physical, the HIA reduces our two centuries of history on this land to "objects" rather than an ongoing, living relationship with the land that is central to our cultural continuity, identity, and the basis of our land restitution	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	claim. We require an assessment that recognises the farms on Tabor PV cluster sites (especially Draailoop) as the "*cradle and the graveyard of the Chatleka people*".	
	2. Practical Challenges to Site Identification The CPA is fully committed to identifying and protecting all ancestral graves and heritage sites, but our capacity to execute this without project resources is severely limited. The following practical challenges must be formally accommodated in the extended HIA process: **1. Time and Resources Constraints:** The process of calling on all families who once resided on the affected farms to come forward and identify their ancestors' graves requires a formalized public notice process funded and facilitates by the Project, and a dedicated timeline extending beyond the current Environmental Authorisation window. **2. Loss of Knowledge:** Many elders with detailed knowledge of burial sites and historical locations have since passed on, making identification of unmarked sites reliant on fragmented knowledge and complex methods. **3. Elder Mobility:** The remaining elders who hold vital oral history are too old and often too frail to walk in the vas land required for a comprehensive loco-inspection. Accessible transport and assistance is mandatory. **4. Unmarked and Desecrated Graves:** The bulk of the graves are unmarked, and many gave been ploughed over by previous farm activities. Visual inspection alone will not suffices.	**RESPONSE FROM HERITAGE SPECIALIST** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	5. Historical Denial of Access: The difficulty and denial of access faced by our elders in the early 2000's during the land claim process has delayed our ability to formally map these sites for decades. This must now be remedied with guaranteed, formal access.	
	3. Proposed Way Forward: A Comprehensive and Resourced Plan To rectify the HIA's flaws and overcome the logistical challenges, the Chatleka CPA proposes the following minimum requirements for the immediate way forward: **A. Redefinition of the November 26th Meeting** The meeting on Wednesday, 26th November must be dedicated to two primary tasks: **1. Formal Oral History Session:** A sit-down session with the identified elders, facilitated by Mr. Wiltshire and the EAP, to conduct structured interviews and collaborative mapping using aerial photographs and cadastral maps provided by CTS Heritage. This is to identify not just marked graves, but sacred sites, ancestral narratives, and intangible heritage locations which fall under the NHRA's definition of "living heritage". **2. Agreement of Resources:** Formal agreement on the budget and logistics for the full CPA-led verification process (as detailed below). **B. Required Resources and Process Commitment**	**RESPONSE FROM HERITAGE SPECIALIST** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the report.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>The CPA requires the following commitment from the Project Proponent (through the EAP and Specialist) to complete a legally compliant HIA:
<table>
<tr><th>Requirement</th><th>Action Requested</th><th>Purpose</th></tr>
<tr><td>Living Heritage Assessment</td><td>Mr. Wiltshire must conduct dedicated, funded oral history interviews with the elders to document intangible values.</td><td>To comply with NHRA Section 3(2)(b) and assess the cultural value of the land beyond artefacts.</td></tr>
<tr><td>Site Verification Technology</td><td>Ground Penetrating Radar (GPR) and/or magnetometry surveys must be committed to by the Specialist for all high-probability areas identified by the elders. Also consider use of high resolution drone and satellite images.</td><td>To located and verify the unmarked and ploughed-over graves (Challenge).</td></tr>
<tr><td>Logistics and Accessibility</td><td>Provision of appropriate, accessible transport (e.g.,4x4) and reasonable sitting</td><td>To overcome Elder Mobility and Resource Constraints</td></tr>
</table></td><td></td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
<table>
<tr><td></td><td>allowances/compensation for the time of the elders and the Chatleka Heritage Verification Committee.</td><td>(Challenges 3 & 1).</td></tr>
<tr><td>HIA Addendum</td><td>Commitment to developing and funding a formal Addendum to the current HIA that incorporates the findings of the Living Heritage Assessment and the CPA's verified site data.</td><td>To ensure the final report reflects the full legislative requirements and community input before submission for Environmental Authorisation.</td></tr>
</table>
We look forward to a productive and constructive meeting on November 26th, provided the scope is expanded to address these critical issues. The Chatleka CPA is committed to the protection of our ancestral heritage, and we expect the Tabor PV cluster of projects to demonstrate an equal commitment to legal compliance and restorative justice.
</td><td></td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>18/11/2025
Via Email
Chatleka CPA</td><td>Please receive the attached response letter</td><td>Thank you for getting back to us and for making the CPA available on Wednesday 26th November. The Heritage Specialist, Nic Wiltshire is travelling up from Cape Town on Tuesday (25th) and has changed his flights to accommodate the extra day on Wednesday (26th of November) after the Open Day on Tuesday. There will be recordings taken of oral histories submitted</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association		during the Open Day as well as on site on Wednesday. Nic is renting a 4x4 and is happy to collect the relevant Elder you had in mind to visit the farm. The additional heritage information will be incorporated into the revised Heritage Impact Assessment. Unfortunately it will not be feasible to carry out a GPR survey on Wednesday 26th November, however, the site visit will assist the specialist in determining whether a GPR survey could be explored in future. Could you let me know if the heritage specialist can continue to communicate directly with you or is there a different community Elder you had in mind that will be the correct person to contact in terms of arrangements for Wednesday 26th?
18/11/2025 Via Email Nompumelelo Lekalakala Department of Forestry, Fisheries and the Environment: Directorate Biodiversity Conservation	DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 06th of November 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). 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.	No response required.
14/11/2025 Via Email	Thank you for your email and for confirming receipt of our formal submission. We appreciate the confirmation that our inputs will	Thank you for clarifying your position. We remain committed to the formal public participation process and will continue to follow it as required. Our offer to meet separately was simply intended to

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Chatleka CPA Comment received from Mr Motshewa Matimolane	be included in further submissions to the Competent Authority (DFFE). We request that the EAP take careful note of all submissions made to date, including those submitted by individual members of the Chatleka CPA in their personal capacities. Additional written inputs should also be expected before the due date, as our members continue to engage with the documents and the process. With regard to your indication that the applicant is willing to meet directly with the CPA, we wish to clarify that the CPA did not request a separate meeting with the applicant outside the EIA public participation process. Our request was specifically for a physical public participation meeting as part of the formal EIA process. Should the applicant wish to meet with us outside that formal process, we request clarity on the purpose, basis, and expected outcomes of such a meeting before we can consider it. Notwithstanding this, the Chatleka CPA remains open to constructive dialogue with any stakeholder, including the applicant, where such engagement helps address our concerns. Any arrangements for such dialogue should be made through: Mr. Motshewa Matimolane Email: motshewamatimolane@gmail.com Cell: 083 467 6947 with Mr. Maphala (CPA Chairperson) copied on all correspondence to ensure organisational continuity.	create an additional opportunity for engagement and to be as inclusive as possible. We understand and respect your decision to decline. You are very welcome to attend the formal Open Day on 25 November, and we would genuinely appreciate your participation. You also remain welcome to submit written comments as part of the formal public participation process, which will be fully considered in the EIA report. With careful consideration of the concerns raised regarding the format of the engagement session, we acknowledge that a public meeting is an appropriate way for effective engagement in some instances, we however maintain that in this instance, the open day format provides a fair opportunity for constructive engagement which we submit being better than a meeting format alternative, for the following reasons: - In the open day format, stakeholders can attend at a time that suits them best within the event window because of an open day stretching over a much longer period of time (in this instance from 12h00-19h00 i.e. seven hours). With a public meeting format, it requires everyone to be available for both a limited and fixed time i.e. 1.5 – 2hrs, at a set time during the day or evening or both, which may still exclude people who cannot attend at such a fixed time due to i.e. work or personal commitments. The time limitation in particular is also prohibitive because it restricts the time for information sharing and discussions more so than in an open house format that extends for a much longer period. - An open day allows for one-on-one, or small group discussions with the EAP, specialist or applicant which is more enabling to stakeholders who can discuss matters that are of interest/concern to them specifically. Whereas a meeting alternative effectively forces attendees to have to listen to issues/matters that are not of their

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Our request for a physical public engagement meeting as part of the EIA process therefore remains in place. If our farm is not deemed a suitable or neutral venue, we propose Banderlierkop, approximately 10 km from our farm, as an alternative. The local police station may also provide an appropriate and secure venue, should neutrality or safety be a concern. We would like to emphasise again why the Chatleka CPA members do not prefer the open-day format or the Vleifontein venue: 1. Accessibility and Demographics: Vleifontein is not easily accessible to most of our members, and none of our members reside there. The majority are based in Matoks and Indermark and are predominantly Sepedi-speaking. We respectfully request that the EAP take these demographic realities into account in determining a suitable engagement venue. 2. Format and Quality of Engagement: The open-day format does not allow for the collective, robust, and transparent engagement required for meaningful public participation. A structured public meeting is essential to ensure that CPA members and other affected community members can collectively raise their issues, receive responses, and engage meaningfully in a public setting. We appreciate your ongoing engagement and look forward to your response on the above matters. We trust that the public participation process will be adapted to ensure fairness, accessibility, and meaningful involvement for all affected parties.	specific interest. Attendees may also not find enough time during such a limited period to fully disclose and/or unpack their specific concerns. - We often do find that not all attendees in a meeting format are comfortable speaking up in front of a larger crowd that gather in a public meeting format, some simply being shy, others not feeling comfortable expressing their views/opinions in front of a group/s of people that otherwise may have conflicting views on the same topic for instance. Such a format then discourages detailed or personal inquiries and subsequent engagement. An open house format by nature, creates a safe space for such stakeholders to disclose their inputs/concerns in a manner that is not exposed to the views/opinions of other stakeholders - In the open day format, multiple stations or displays present different aspects of the environmental process (e.g., maps, data, timelines), allowing stakeholders to explore and engage on topics that concern them at their own pace. In a public meeting format, information is usually presented in a linear format which limits effective engagement and depending on the nature of people's interest, some disciplines may then become lost in the process. - An open day format allows for improved quality of feedback, where stakeholders can engage on concerns individually via written or verbal means, leading to more thorough engagement. In summary, an open day format fosters flexibility, personalized engagement, and a more inclusive, less intimidating environment for some stakeholders, which ultimately leads to better engagement, stakeholder understanding and higher-quality feedback compared to a traditional public meeting format. We therefore feel strongly that the open day format will not detract from constructive engagement and although we take note of your concerns in this

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		regard, we are confident that participation through such a format remains fair and transparent. All specialists/EAP/Applicant will keep notes from discussions and will be sure to record all comments/engagements during this session which we shall be sure to reflect as part of the ongoing public participation process. The key criteria in selecting this venue for the open house was to be able to accommodate all potential stakeholders irrespective of their interest in this application. In selecting this venue, the following was considered amongst others: - The Community Hall is accessible to all stakeholders of the community being used for similar events. - The Community Hall has good public transport links and parking facilities. This reduces barriers to attendance. - The Community Hall is a space people recognise and are familiar with. This encourages meaningful participation and engagement. - The neutrality of the Community Hall avoids perceptions of bias that might arise if the open day was to be held at a private venue. - The Community Hall is designed to accommodate larger groups, with seating arrangements that can be adapted for the discussions. - The Community Hall also include essential amenities such as restrooms and accessibility features. - The Community Hall also has electricity which is needed for the presentations. In summary, the Vleifontein Community Hall offers accessibility, familiarity, flexibility, and inclusivity, making it the most practical and stakeholder-friendly venue for the public open day. We acknowledge that although the dominant home language in the Makhado Municipality is Tshivenda (75.88% according to the Social Impact Assessment), some members of the CPA are predominantly Sepedi speaking (According to

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		the Social Impact Assessment, Sepedi speaking individuals make up 2.31%). To ensure that the Sepedi members are not excluded in terms of communication/information sharing, we have also taken the step of translating the Background Information Document to Sepedi which will also be made available at the open day for further distribution. We have taken the liberty of attaching copies of these BIDs to this email (which we'll also distribute to other registered I&APs) to help with further communication in preparation of the upcoming open day event. You are most welcome to distribute this to a wider audience as well as the beneficiaries that fall under your CPA. We trust that these measures are helpful in improving the communications to date. The following additional mechanisms were deployed to ensure that the Public participation process remains accessible and inclusive: **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		We would like to highlight several measures undertaken during this follow-up public participation period: - The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. - A background information document has been compiled and circulated in English and Tshivenda. - Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. - Follow-up newspaper adverts have been placed in English and Tshivenda. - Additional site notices have been erected in English and Tshivenda. - Hard copies of reports have been made available at local venues for those without digital access. - A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. - The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. We look forward to further continuous engagement with the CPA as this environmental process progresses.
13/11/2025 Via Letter Chatleka CPA	I am Mr. Malefo, an elder of the Chatleka community and a former Chairperson of the Chatleka Communal Property Association. I write to you not with a cold pen, but with a heavy heart and a memory that burns—a memory stretching back to the time before your maps and boundaries were drawn.	Please refer to responses provided below. Responses were compiled with input from the appointed Heritage Specialist (CTS Heritage).

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association	This land, the entire Tabor Cluster encompassing Draailoop, Bethel, Klipput and Makoppa, and the farms beyond, is not merely a "site" for a PV project. It is the cradle and the graveyard of the Chatleka people and related communities. It is a living cultural landscape built on two centuries of our suffering. Your reports—the EIR, the SIA, and the HIA—speak of logistics and finance; they speak of everything but the soul of the land. We reject these reports in their entirety. They propose to commit a third wave of dispossession upon our community. The first was by the settlers who stole our land; the second was by the apartheid regime which scattered us; the third will be by the hands of 'green energy developers who seek to bury our history under metal and glass.	
	I. The Enduring Trauma: Our Land is a Monument to Injustice The historical facts of our removal are not anecdotes; they are the scars we carry on our backs to this day. **The Forgery and the Betrayal** Our trauma began not with violence, but with deceit. On Benauwdheid (Ha-Mporetji), the old man Ngwako Jan Mporetji was found staying there by a surveyor, Mr. Hill, who issued him a permit to remain. When the farmer Ben Lavin arrived in 1949, the old man proudly produced those papers—proof of his right to the land. Lavin simply asked to see them and never brought them back, initiating the fight that drove the Mporetji family out. This act of deceptive forgery caused the old man such distress that for the rest of his life, he was always reciting the names of the	**RESPONSE FROM HERITAGE SPECIALIST:** Thank you for sharing this traumatic history. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	farmers, as if mentally deranged. That plight is still haunting his descendants. On Bonne-Esperance, the first signs of doom came as early as 1892, when our young herdsmen came running in panic, having witnessed white men knocking beacons into the ground—the first physical signs of the land being stolen.	
	The Branding of "MOREKOMO" Our families were not offered a fair wage; they were forced into "MOREKOMO"—the brutal labour tenancy system. • On Dassieshoek, the original headquarters of the Chatlekas, children had no opportunities for schooling but were forced to work on alternative weeks for the farmer. • On Weltevreden and Ladybrand, adult males worked three months a year for no pay, while women worked two days a week. • On Mooimeissiedraai, the exploitation escalated until farmer Attie Venter demanded work for the whole year in exchange for only a single bag of mealiemeal. We lost our rights to crop production and cattle rearing across all these farms, including Draailoop, where the limiting of livestock led to the expulsion of the Selabe family through the dreaded trek-pass system.	**RESPONSE FROM HERITAGE SPECIALIST:** Thank you for sharing this traumatic history. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	The Sacred Ground	**RESPONSE FROM HERITAGE SPECIALIST:**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	This land is not just where we lived; it is where we buried our dead. On Draailoop, the tombstone of old man Mamokutupi Jacob Selabe still stands in the middle of the farm. When we take our children and grandchildren there, pointing to the tombstones of grandfather and grandmother and the sites of our homesteads, the feeling of a profound loss of home is felt anew. This loss is not mitigated; it is exacerbated by your plans. It is highly irregular that the Heritage Specialist in the HIA can claim to have identified graves and sites without engagement with our elders. This entire area is littered with the unmarked graves of the forebearers of Chatleka members and other communities. Many were deliberately destroyed by ploughing over them by previous farmers, but our elders possess the living, cultural memory of where these souls rest—all over the area. The entire project footprint is a consecrated burial ground. Furthermore, we recall the pain on Ladybrand where a farm owner desecrated graves, scattering human bones, because people were visiting these ancestral sites yearly. And the chilling fact that a white farm manager on the same land was keen to collect human skulls as souvenirs for his living room. This history of systematic grave destruction and cultural desecration makes your current Heritage Impact Assessment a travesty.	The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	II. The Procedural and Legal Failure of Your Reports The Draft EIR, HIA, and SIA are not merely inadequate; they are procedurally, legally, and ethically deficient.	**RESPONSE FROM HERITAGE SPECIALIST:** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	A. Heritage Impact Assessment (HIA) Rejection We formally object to the HIA and its findings because: 1. Exclusion of Living Heritage: The assessment failed to recognise the claims and traditional knowledge of the Chatleka CPA as the custodians of heritage resources within our ancestral land. 2. Cumulative Impact: The HIA is incomplete because it failed to conduct a cumulative heritage assessment across all four Tabor Cluster projects to evaluate the true loss of cultural continuity and landscape. 3. Irregular Methodology: The Specialist's claim to identify graves without the direct, on-site engagement and verification from the elders who know the unmarked resting places is a fundamental, fatal flaw that renders the HIA null and void.	these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is clear that the CPA holds important knowledge regarding the oral history of the Batlokwa ba Chatleka community. It is recommended that the CPA engage with an appropriate academic institution urgently to ensure that this oral history is accurately recorded and documented through an academic process. The CPA has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The results of this analysis are included in the report.
	B. Environmental and Social Impact Reports (EIR/SIA) Rejection Your entire process is built on shifting sand because it ignores the central legal reality: The land is subject to an unresolved Land Restitution Claim (KRP 693). 1. Violation of Restitution Rights: Advancing an Environmental Authorisation on disputed land under claim is a violation of the principles of procedural fairness and environmental justice and fundamentally undermines the constitutional right to land restitution. 2. Lack of Genuine Consent (FPIC): The EIR and SIA must stop peddling superficial consultations. We	**RESPONSE FROM APPLICANT** Attached in Appendix G1cis a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights. We reiterate that the applicant for EA acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that there is any intention by the present landowner to dispose of, sell or lease the subject-property.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	demand that no Environmental Authorisation is granted until Free, Prior, and Informed Consent (FPIC) is obtained from the Chatleka CPA and other claimant communities. 3. Flawed Social Assessment: The SIA is biased and misleading, as it overstates local benefits while ignoring the severe social impacts of further diminishing our access to agricultural land and traditional cultural sites. A Cumulative Social Impact Assessment for the entire cluster is mandatory.	To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated). The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so. **RESPONSE FROM SOCIAL SPECIALIST.** The findings of the SIA in terms of social benefits are based on the author's extensive experience with undertaking SIAs for renewable energy projects throughout South Africa (in the region of 150 SIAs). The findings are supported by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024). The SIA does not ignore the "social impacts of further diminishing our access to agricultural land and traditional cultural sites". As indicated above, the SIA

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. It is therefore beyond the scope of the SIA to assess restitution related aspects. If the claims are successful, the developers of the proposed Tabour PV Cluster project, will be required to engage with the new landowners. These engagements would provide an appropriate forum to discuss opportunity to combine the proposed PV SEF development with other land uses, including agriculture. The SIA does assess the potential cumulative impact of the combined project and other renewable energy projects on social infrastructure (Section 4.6, cumulative impact on local services and accommodation). The significance is rated as Medium Negative. The SIA also identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions.
	III. Conclusion and Non-Negotiable Demands	The opinions of the respondent are noted. We would recommend that the land claimants follow and comply with the requirements of the Land Claims Court.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	We do not oppose development in principle. We oppose the reproduction of historical dispossession on our ancestral land. We seek the dignity and rights that were stolen from the Mporetjis, the Selabes, the Selotas, and the countless others scattered to crowded reserves and urban areas. We therefore demand that the Competent Authority (DFFE) and the EAP (Cape EAPrac) immediately: 1. HALT the Environmental Authorisation process for the Draailoop Solar PV Facility and the entire Tabor Cluster until the Land Restitution Claims in the are fully resolved. 2. REJECT the current Heritage Impact Assessment (HIA), Social Impact Assessment (SIA), and Environmental Impact Report (EIR) as procedurally and substantively flawed. 3. INITIATE a new, transparent, and inclusive engagement process, with our elders at the forefront of identifying and verifying all heritage resources, including unmarked and desecrated graves. 4. Commit to a binding community benefit-sharing framework and a joint governance mechanism to be fully negotiated with the Chatleka CPA prior to any consideration of construction. We stand firm. We will protect the living memory and the spiritual resting places of our ancestors, and we will not accept a renewal energy project that serves as a veil for an ancient injustice. Give us back our land so that we can live, work, prosper, and die in dignity.	**RESPONSE FROM THE APPLICANT:** The applicant wants to indicate that they are willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant has previously reached out to arrange such a meeting, but the CPA indicated they did not wish to meet at that time. However, the invitation remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
13/11/2025 Via Email Chatleka CPA Mr Richard Malefo – Elder and Former Chairperson Chatleka Communal Property Association	please receive the letter attached **Response from Cape EAPrac acknowledged on 14/11/2025:** Thank you for your response.	**RESPONSE FROM HERITAGE SPECIALIST:** Hi Richard, Dale sent me your details about the graves that are being visited at Draailoop and Bethel farms. We have an Open Day on Tuesday 25th November to invite interested and affected parties to submit their comments and inputs to the impact assessment process and I would like to go with you to the sites you submitted to carry out detailed recordings of the graves. Would you be available on Wednesday 26th (in the morning) to visit the farms or if you are not available perhaps another person on your committee could join me? **RESPONSE FROM CAPE EAPRAC:** Dear Mr Malefo. Thank you very much for the below email and the attached comment. We hereby confirm receipt of your email and comment. The concerns raised by yourself as an elder of the Chatleka community and former chairperson of the Chatleka CPA are currently under consideration by all parties (including the Social and Heritage Specialists) and will be considered, addressed and formally responded to in due course. We look forward to further productive engagement as part of this environmental process.
10/11/2025 Via Email Chatleka CPA	**1. Introduction** The Chatleka Communal Property Association (CPA), representing the land claimants under the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), submits this formal objection to the proposed Draailoop Solar PV Facility, forming	Please refer to responses provided below. As detailed in the previous response, for purposes of Chapter 5 and activities listed under Section 24, NEMA an Interested and Affected Party (I&AP) is explicitly defined as:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Mr N.A Maphala – Acting Chairperson Chatleka Communal Property Association	part of the broader Tabor Solar PV Cluster (comprising the Bethel, Draailoop, Klipput, and Makoppa facilities). The proposed developments are located on ancestral land that is subject to an unresolved land restitution claim by the Chatleka community and other CPA's, on farms near Bandelierkop in the Makhado Local Municipality, Limpopo Province, namely: - Remainder of the farm Draailoop 430 LS - Portion 0 of the farm Bethel 431 LS - Portion 1 of farm Kaffernek 465 LS - Remainder and Portion 1 of the farm Makoppa 466 LS - Portion 1 of the farm Klipput 425 LS This objection is based on the following grounds: - Violation of the Restitution of Land Rights Act and the principles of Free, Prior, and Informed Consent (FPIC); - Procedural defects in the Environmental Impact Assessment (EIA) process; - Exclusion of affected claimant communities **from meaningful** participation; and - Inadequate consideration of social, heritage, and cumulative impacts across the Tabor Cluster.	- Any person, group of persons, or organization that is interested in or affected by a proposed operation or activity; and - Any organ of state that may have jurisdiction over any aspect of that operation or activity. Neither the Act, nor the regulations differentiate between different "categories" of I&AP's. I&AP's encompass all parties who have an interest or are directly or indirectly affected by the proposed project. This includes those who have a stake or concern, those who face direct or indirect impact, as well as all relevant State Departments or Organs of State. Based on the principles of NEMA, it is neither legally sound nor ethically acceptable to treat I&APs differently based on the nature of their stake in a project. These principles require inclusive participation and **ALL** I&APs must be given equal opportunity to participate in decision-making processes. ALL I&AP's regardless of their interest or how they may be affected by the proposed project have the right to meaningfully participate in the process and also have the responsibility to declare any direct or indirect interests in the proposed activity. The applicant respects the principles underlying Free, Prior and Informed Consent and acknowledges the evolving jurisprudence in South African law regarding community rights to land. However, it's important to clarify the current legal position: the land in question is privately owned, and the owners have lawfully entered into agreements in accordance with their property rights. The land claim process is ongoing, and no determination has been made by the Land Claims Commission regarding the validity or outcome of the claim. Neither the applicant, the EAP, nor the DFFE

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development. The EA process operates within its own legislative framework under the National Environmental Management Act (NEMA). The timing of this application is not an attempt to bypass any process, but rather follows the standard regulatory requirements for renewable energy. Again, and with the greatest of respect, the jurisprudence that you cite and rely on in this portion of your comments on behalf of the Chatleka CPA is distinguishable on the facts from the present matter. The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	2. Core Objection: Land Claim Status and Consent	Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states -

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The Revised Draft Environmental Impact Report (EIR) acknowledges that the project area is subject to land claims. Yet, the Environmental Assessment Practitioner (EAP) asserts that: "Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim.. (EIR, p.51) This position is legally unsound and contrary to the purpose of the Restitution of Land Rights Act, which explicitly seeks to restore ownership and use rights to dispossessed communities. Approving or proceeding with a 25—30-year solar development effectively sterilises the land, undermining restitution objectives and prejudicing the eventual rights of claimants to determine land use after restoration. The Chatleka CPA's position remains clear and consistent: "*Our communities do not oppose solar development in principle; we oppose the notion that it can be planned and implemented without our participation and prior consent. We resist the assumption that empowerment means leasing ancestral land to outside developers while remaining peripheral to the long-term benefits*." We therefore object to the project's continuation without the formal inclusion, meaningful participation, and consent of the Chatleka CPA and other affected claimants.	• (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. **RESPONSE FROM THE APPLICANT:** It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process. Consent was obtained from the owner, person in control of the land, on which the activity is to be undertaken.
	3. Contradictory Communications from the Land Claims Commission	Thank you for bringing the contradiction to our attention. Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>Section 3.1.11 of the EIR records contradictory information from the Regional Land Claims

Commissioner (RLCC):

• 19 September 2024: Confirms restitution claims lodged prior to 1998.
• 9 October 2024: States there are no land claims and no objection to development.
• 10 June 2025: Again confirms restitution claims lodged prior to 1998.

Despite these inconsistencies, the EAP relies on the most permissive interpretation, creating legal uncertainty and administrative bias.

Proceeding under such conditions violates Section 2(4)(a)(vii) of the National Environmental Management Act (NEMA), which mandates precaution and due diligence where uncertainty exists.

We therefore request:

1. Written confirmation from the RLCC clarifying the official and current status of all land claims affecting the Tabor Cluster area; and
2. Disclosure of all correspondence, including the alleged "instruction not to engage with claimants," as cited by the EAP.</td><td>been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
• 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.</td></tr>
<tr><td></td><td>4. Procedural Deficiency: Exclusion from Consultation

The EIR admits that the developer (Mulilo Renewable Energy) was "advised not to engage directly with the claimants at this stage" (EIR, p.50).

This action has no basis in law and contradicts:

• Regulation 41 (2)(e) of the EIA Regulations, 2014, which requires direct engagement with all persons whose rights may be affected;
• NEMA Section 2(4)(f), mandating inclusive public participation; and
• The Promotion of Administrative Justice Act (PAJA), which guarantees fair administrative processes.</td><td>On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now.

Considering the above and the comment received:

• The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	As a result, the Chatleka CPA and neighboring claimant CPAs were excluded from direct consultation, and their rights reduced to those of ordinary Interested and Affected Parties (I&APs), despite being potential legal landowners. We regard this as a fatal procedural defect warranting suspension of the EIA process.	refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: • The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. • A background information document has been compiled and circulated in English and Tshivenda.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. • Follow-up newspaper adverts have been placed in English and Tshivenda. • Additional site notices have been erected in English and Tshivenda. • Hard copies of reports have been made available at local venues for those without digital access. • A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. • The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
	5. Inadequate Assessment of Land Restitution and Socio-Economic Impacts The Social Impact Assessment (SIA) explicitly states: "It is beyond the scope of the SIA to assess or comment on the status of the land claims.' This disclaimer eliminates consideration of a key social and legal factor. The SIA further acknowledges: • Local economic benefits will be limited; • Most contracts will be awarded to external companies; and • Low education and skills levels will restrict local employment.	**RESPONSE FROM SOCIAL SPECIALIST.** The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The focus of the SIA is therefore on the site and the surrounding areas as per accepted best practice. In terms of the land claims the SIA notes that the Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for all 5 properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	These findings confirm that the purported benefits will largely bypass affected communities. For the Chatleka CPA, this means bearing the social and environmental costs while receiving no direct socio-economic return, contrary to NEMA's environmental justice principle (Section 2(4)(c)).	of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. If the claims are successful, the developers of the proposed Tabour PV Cluster project, will be required to engage with the new landowners. Section 4.4.4 of the SIA, Benefits associated with the socio-economic development contributions, indicates that REIPPPP has been designed not only to procure energy but has also been structured to contribute to the broader national development objectives of job creation, social upliftment and broadening of economic ownership. The SIA notes that socio-economic development (SED) contributions are an important focus of the REIPPPP and are aimed at ensuring that local communities benefit directly from the investments attracted into the area. These contributions create an opportunity to generate a steady revenue stream over an extended period. This revenue can be used to fund development initiatives in the area and support the local community. The long-term duration of the revenue stream also allows local municipalities and communities to undertake long term planning for the area. The SIA identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions. The SIA does therefore refer to SED opportunities for local communities. As indicated above, if the project is granted Environmental Authorisation (EA) and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		the land claims are successful, the proponent will engage with the successful land claimants to discuss in more detail how local communities can benefit from the project. This may involve benefit-sharing arrangements or equity participation opportunities. These engagements and the nature of the agreements would be for discussion between the landowner and the project developer.
	6. Impact on Land Use and Agricultural Potential The EIR identifies the "reduction of land with natural vegetation for livestock grazing" as a negative impact (Table 60, p. 167). This is a critical concern for our CPA, whose land use vision post-restitution includes both traditional and commercial agriculture. Loss of grazing land directly undermines the potential to realise those objectives once restitution is complete. We therefore object to the long-term sterilisation of agricultural land without consultation with the future landowners — the claimant communities.	As outlined in the various responses, this environmental process cannot be undertaken under the assumption that the land claim will be successful or not. The process needs to acknowledge the land claim (which it does). The consideration of ownership must be done utilising the current titles. It's important to note that neither the project applicant, the EAP, nor the DFFE have the authority to grant or deny land ownership rights. This remains solely within the jurisdiction of the Department of Land Reform and Rural Development through the land claims process.
	7. Heritage and Cultural Rights The Heritage Impact Assessment (CTS Heritage, 2025) identifies archaeological remains and burial grounds associated with granite koppies within the project area, but provides no evidence that: • The final project footprint avoids these sensitive sites; or • Local communities were consulted about cultural and spiritual significance.	**RESPONSE FROM HERITAGE SPECIALIST** Final layouts are mapped in Section 4.3 of the HIA report and include the identified heritage resources along with the recommended buffers. This is sufficient evidence to confirm that the final layout footprint avoids impacts to the identified heritage resources. Local communities are consulted during the PPP and the HIA is updated following the receipt of any additional heritage-related information. The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	This contravenes Section 38(3)(e) and (g) of the National Heritage Resources Act (NHRA, Act 25 of 1 999), which require consultation with affected communities and the consideration of their heritage interests. We request: 1. Identification of all burial sites and other heritage sites in consultation with the Chatleka CPA and other neighbouring CPA's in the area. 2. A detailed map confirming that all burial sites and other heritage sites are excluded from development; and **3.** A binding commitment to develop and implement a Conservation Management Plan, in consultation with the Chatleka CPA and neighboring claimants.	cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.
	8. Misuse of Strategic Integrated Project (SIP) Status The EIR asserts that "landowner consent is not required for Strategic Integrated Projects" due to Regulation 39(2)(c). This interpretation is misleading. SIP status under the Infrastructure Development Act, 2014, does not override rights under the Constitution, NEMA, or the Restitution of Land Rights Act. SIP classification cannot be used to avoid meaningful community consultation or to legitimize exclusion of claimant communities. We request a written legal justification for applying this exemption to land under active claim.	Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. Notwithstanding this regulation, it is important to note that landowner consent has been obtained and is included in this environmental process.
	9. Cumulative and Environmental Justice Implications The Tabor Cluster (Bethel, Draailoop, Klipput, and Makoppa Solar PV projects) collectively represents approximately 795 MW of development, covering over 1 ,000 hectares of land. Cumulative impacts include: • Permanent transformation of grazing land; • Soil compaction and erosion; • Loss of biodiversity and visual impacts; and • Cultural landscape alteration. If authorisation proceeds, claimant communities would inherit land that is environmentally and economically compromised, defeating the purpose of restitution. This raises clear environmental justice concerns, as per Section 2(4)(c) and (d) of NEMA.	**RESPONSE FROM APPLICANT** As already explained in this response, the likely socio-economic benefits that would flow to the Chatleka CPA (on the assumption that the latter CPA's land claim is successful, and the applicant's application for an EA is approved (and all other statutory approvals and consents are obtained)) are significant, and will entail a positive economic contribution to the members of the Chatleka CPA. It is unlikely that the entire physical extent of the subject-property would be "land that is environmentally and economically compromised" as you put it. There can be no suggestion that (on the assumption that the Chatleka CPA achieves its restitution imperative) that it will not benefit as the successor-in-title to the present owner and as such, by stepping into the shoes of the latter as the lessor of the immovable property upon which the solar PV facility and ancillary infrastructure would be established if authorised. The applicant appreciates the CPA's focus on protecting potential community assets and acknowledge the importance of ensuring that any future land restitution delivers genuine economic benefits to claimant communities. The applicant understands the concerns raised regarding land use restrictions. However, it is important to consider the full economic picture. Should the land

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		claim be successful and the CPA and its members become the collective landowner in future, renewable energy projects can provide substantial and sustained economic value as follows: - Potential Economic Benefits: - Long-term, stable rental income over the project lifespan, providing financial security and predictable revenue streams for a landowner - Upfront and ongoing job creation during construction and operational phases, with skills development opportunities for community members - Enterprise development opportunities for local SMMEs in construction, maintenance, and support services - Community benefit contributions <u>Important Note on Land Ownership Change:</u> Should land ownership transfer to the CPA during the project's lifespan, there would be an opportunity to renegotiate the terms of the lease agreement to ensure it reflects the community's interests and priorities. <u>Land Use Considerations:</u> While the development does occupy land during its operational period, it's important to note that solar developments are not permanent infrastructure. At decommissioning, the land can be restored for alternative uses. Additionally, the rental income generated can fund agricultural or other economic activities on adjacent or alternative land.
	10. Request for Meaningful Engagement and Inclusive Process We formally request that Cape EAPrac and Mulilo Renewable Energy convene structured and inclusive engagement with: • The Chatleka CPA and .	Three public participation periods have been completed thus far: • 25 April 2025 – 27 May 2025 (Draft Scoping Report) • 22 August 2025 – 26 September 2025 (Draft Environmental Impact Report)

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• The neighboring claimant CPAs and communities within the Tabor Cluster footprint; This engagement must: • Be held within affected communities, using appropriate languages and formats; • Include presentation of all maps, specialist findings, and project alternatives; • Facilitate independent technical and legal support for the claimants; and • Be conducted prior to submission of the Final EIR to DFFE.	• 07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report) All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. • A background information document has been compiled and circulated in English and Tshivenda. • Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. • Follow-up newspaper adverts have been placed in English and Tshivenda. • Additional site notices have been erected in English and Tshivenda. • Hard copies of reports have been made available at local venues for those without digital access. • A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. • The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. **RESPONSE FROM THE APPLICANT:** The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.</td></tr>
<tr><td></td><td>11. Specific requests:

The Chatleka CPA requests the following immediate actions

1. Suspend the EIA process until the status of the land claims is formally clarified in writing by the RLCC.
2. Withdraw and revise Section 3.1.11 of the Draft EIR to accurately reflect the existence and implications of active land claims.
3. Conduct a Supplementary Social and Heritage Impact Addendum, assessing:
o Land restitution implications;
o Economic justice and benefit-sharing models; and o Living cultural heritage of affected communities.
4. Disclose all correspondence between the EAP, Mulilo, and the RLCC relating to engagement restrictions.
5. Extend the public comment period to allow for proper consultation and independent review.
6. Ensure that no Environmental Authorisation is granted until Free, Prior, and Informed Consent (FPIC) is obtained from claimant communities.</td><td>Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow:

• 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>

10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.
Three public participation periods have been completed thus far:

25 April 2025 – 27 May 2025 (Draft Scoping Report)
22 August 2025 – 26 September 2025 (Draft Environmental Impact Report)
07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report)

All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. Since the submission of the Final Environmental Impact Report on 06 October 2025, with its subsequent withdrawal to accommodate concerns raised by an Interested and Affected Party relating to the public participation process, notifications of extension contemplated in Regulation 23(1)(B) for the proposed developments were submitted to the DFFE. The Revised Final Environmental Impact Report must therefore be submitted to the competent authority within 156 days from Acceptance of the Final Scoping Report in order to align with the regulated timeframes of the Environmental Impact Assessment Regulations (2014) and the public participation period can therefore not be extended any further. **Response from the Applicant:** The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	12. Conclusion The Draailoop Solar PV and the wider Tabor Solar Cluster developments are being advanced on disputed land, under conditions of contradictory official communication, exclusionary consultation, and uncertain legal standing. The process as currently designed violates the principles of procedural fairness, environmental justice, and constitutional protection of restitution rights. The Chatleka CPA does not oppose renewable energy — we oppose development that disregards our rights and voice on our ancestral land. We therefore call upon Cape EAPrac, Mulilo Renewable Energy, and the Competent Authority (DFFE) to: • Halt the authorisation process; • Initiate transparent and inclusive engagement; and • Redesign the project approach to ensure genuine community participation, shared benefits, and legal compliance.	Please refer to the responses provided above on the letter dated 10/11/2025.
10/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane on behalf of Mr N.A	Please find attached the formal letter of objection submitted by **Chatleka Communal Property Association (CPA)**, dated 10 November 2025. This objection specifically targets the proposed **Draailoop Solar PV Facility** (DFFE Ref: 14/12/16/3/3/2/2699).	Dear Mr Maphala (c/o Mr Motshewa Matimolane) Thank you very much for your comment. Your email below as well as the appended formal comment (reattached in this email) are herewith acknowledged and we confirm that this will be included in any further submissions to the Competent Authority.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Maphala – Acting Chairperson Chatleka Communal Property Association	**Crucially, the Chatleka CPA requests that the objections, legal arguments, and procedural deficiencies raised in the attached letter be formally applied and considered for all other projects that constitute the Tabor Solar PV Cluster, including:** • Bethel Solar PV Facility (14/12/16/3/3/2/2698) • Klipput Solar PV Facility (14/12/16/3/3/2/2700) • Makoppa Solar PV Facility (14/12/16/3/3/2/2701) The grounds for objection relate primarily to the failure to recognize active land claim rights, inadequate community engagement, and procedural defects under NEMA. We expect a formal acknowledgement of receipt for both this email and the attached objection. We look forward to your prompt response regarding the requested suspension of the EIA process and the initiation of meaningful engagement (in the form and manner we have requested).	Cape EAPrac have discussed the CPA's comments and concerns with the applicant, social specialist and heritage specialist. The concerns raised by the Chatleka CPA are currently under consideration by all parties and will be considered, addressed and formally responded to in due course. We look forward to further productive engagement with the Chatleka CPA as this environmental process progresses. The applicant in respect of these applications has indicated their willingness to meet directly with the members of the CPA as requested. In this regard, could you kindly provide the details (name and telephone number) of the relevant CPA representative where the arrangements for such a meeting can be made. The other aspects currently underway as part of the public participation process, including the public open day engagement session at the Vleifontein Community Hall will continue as planned.
10/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	I write to you on behalf of the Chatleka Communal Property Association (CPA), Registration No: KRP 693, in connection with the Environmental Impact Assessment process for the Draailoop Solar PV Facility and associated Tabor Solar Cluster Projects. **Purpose of Communication** Please find attached three formal objection letters submitted by Mr. MR Matimolane, Member of the Extended Executive Committee of the Chatleka CPA, regarding:	**Response from Cape EAPrac** Duly noted. All three individual letters have been included and responded to in this Comments and Responses Report. **Background and Legal Standing** It is acknowledge that the Chatleka CPA is a recognized land claimant under the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), however, according to the letter received from the office of the Regional Land Claims Commissioner – Limpopo, only the Remainder of Farm Draailoop 430 is affected by a land claim from Moeketse Ga Chatleka CPA. It is however acknowledged that the

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>
1. Objection to the Heritage Impact Assessment Report (HIA)
2. Objection to the Social Impact Assessment Report (SIA)
3. Objection to the Revised Draft Environmental Impact Report (EIR)

These submissions are made in terms of the public participation process under the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the EIA Regulations of 2014, as amended.

Background and Legal Standing

The Chatleka CPA is a recognized land claimant under the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), with an active claim affecting Portion 1 of Farm 425, Remainder of Farm 430, and Farm 431 — properties that fall directly within the proposed Draailoop Solar PV Facility footprint.

As such, we hold a direct legal interest in the environmental authorization process and submit these objections to ensure that our constitutional rights, cultural heritage, and restitution interests are properly recognized and protected.

Summary of Key Concerns

Our objections raise substantive and procedural concerns across three critical areas:

• Heritage Impact Assessment: Inadequate community consultation, exclusion of living heritage, absence of verified exclusion zone mapping, and
</td><td>
Remainder of Farm Draailoop 430 forms part of the proposed Draailoop Solar PV development, along with Portion 1 of Farm 425 and Farm 431 which are not subject to land claims from the Moeketse Ga Chatleka CPA.

On 10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td></td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>

Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report.

Key Concerns

Heritage Impact Assessment:
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	failure to develop a Conservation Management Plan in consultation with affected communities. • **Social Impact Assessment**: Exclusion of land claimants as distinct stakeholders, misrepresentation of community consent, overstated social benefits, failure to assess restitution impacts, and absence of benefit-sharing mechanisms. • **Environmental Impact Report**: Contradictory treatment of land restitution, improper dismissal of prior consent requirements, acceptance of instruction not to engage with claimants, and misapplication of Strategic Integrated Project exemptions. **Formal Requests** We respectfully request that: 1. These submissions be formally registered as objections to the EIA process; 2. All attached documents be distributed to the relevant case officers at DFFE; 3. The EIA process be suspended pending meaningful consultation with the Chatleka CPA and resolution of the procedural deficiencies identified; 4. Written confirmation of receipt and registration be provided within 7 working days; and 5. The Chatleka CPA and all neighboring be notified of all further developments, decisions, and opportunities for participation in this matter. 6. A dedicated public meeting be arranged at the CPA farms, in addition to the planned open day, to ensure	The Heritage Specialist did consider living heritage as part of the HIA. Exclusion zone mapping does form part of the HIA (Appendix E4) as well as the Site Layout Plan in Appendix D1. **Social Impact Assessment:** The SIAs (Bethel, Draailoop, Klipput and Makkoppa) do not refer to the statement submitted by Mr. Motshewa Matimolane during the Scoping Phase that "Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim". The findings of the SIA in terms of social benefits are based on the author's extensive experience with undertaking SIAs for renewable energy projects throughout South Africa (in the region of 150 SIAs). The findings are supported by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024). The SIA also identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions. The SIA also notes that if the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss in more detail how local communities can benefit from the project. This may involve benefit-sharing arrangements or

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	that all affected beneficiaries have a fair and meaningful opportunity to participate in the process. Facilitation and material translation be in Sepedi/ Northern Sotho. **Contact Information** All correspondence regarding these submissions should be directed to: **Mr. MR Matimolane** Member: Extended Executive Committee Chatleka Communal Property Association (CPA) Email: motshewamatimolane@gmail.com Cell: 083 467 6947 We trust that Cape EAPrac and the Department of Forestry, Fisheries and the Environment will give these submissions the careful consideration they deserve and will engage constructively with the Chatleka CPA to address the concerns raised. We remain committed to dialogue and to finding solutions that respect both renewable energy development and the rights of historically dispossessed communities.	equity participation opportunities. These engagements and the nature of the agreements would be for discussion between the landowner and the project developer. As indicated above, the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. It is therefore beyond the scope of the SIA to assess restitution related aspects. **Environmental Impact Report:** Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow: • 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report. Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
10/11/2025 Via Letter Chatleka CPA	**1. Introduction and Context** I submit this letter in my personal capacity, as a member of the Extended Executive Committee (EXCO) of the Chatleka Communal Property Association (CPA) — one of the land claimants whose claim is currently under consideration by the	Please refer to the responses provided below on the letter dated 10/11/2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Comment received from Mr Motshewa Matimolane **Environmental Impact Report**	Regional Land Claims Commission (RLCC) for properties directly affected by the proposed Draailoop Solar PV Facility and the broader Tabor Solar Cluster Projects in the Makhado Local Municipality, Limpopo. This letter constitutes a formal objection to the contents, assumptions, and procedural handling of the Revised Draft Environmental Impact Report (EIR) dated November 2025, prepared by Cape EAPrac (Pty) Ltd on behalf of Mulilo Renewable Energy (Pty) Ltd. My submission addresses the following key themes: 1. Inadequate and contradictory treatment of land restitution and ownership; 2. Procedural and ethical failures in stakeholder engagement; 3. Inaccurate assumptions regarding social and economic benefits; 4. Overlooking of heritage, land use, and cultural rights; and 5. Misapplication of legal exemptions under the Strategic Integrated Projects (SIP) framework.	
	2. Restitution of Land Rights Act (1994) – Misrepresentation and Contradictions **2.1 Recognition of Active Claim but Improper Dismissal** Section 3.1.11 of the Draft EIR correctly identifies that the Draailoop Solar PV site falls on land subject to active restitution claims in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994). The Chatleka CPA, along with the Dithakone	As stipulated in Section 3.1.11 of the Revised Draft Environmental Impact Report, the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) is a cornerstone of South Africa's post apartheid land reform programme. It was enacted to address the injustices of racially discriminatory land dispossession that occurred after 19 June 1913, the date recognized in the Constitution as the starting point for restitution claims. The Act aims to: • Provide for the restitution of rights in land to individuals or communities dispossessed due to racially discriminatory laws or practices.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	and Matjuda communities, is listed among affected claimants. However, the EIR subsequently states that: "It is beyond the scope of the EIA process to assess and/or comment on the status of the land claims." While the EIA process may not adjudicate claim validity, it is legally obligated to assess the social, legal, and procedural implications of unresolved claims. Under NEMA Section 24O(1)(b), the Competent Authority must consider "any feasible and reasonable alternatives" and the potential socio-economic impact of activities on communities and individuals — including land claimants. Thus, the blanket exclusion of the land restitution dimension from the EIR's scope is not only procedurally inadequate, but it also renders the impact assessment incomplete and non compliant with Section 2(4)(c) and (f) of NEMA, which require environmental management to serve the interests of affected communities equitably.	• Establish the Commission on Restitution of Land Rights and the Land Claims Court to manage and adjudicate land claims. The EIA process acknowledges that the project area is subject to land claims, however it is beyond the scope of the EIA process to assess and/or comment on the status of the land claims. Please refer to Appendix F5 attached to the Draft Environmental Impact Report for letters received from the land claimant, Chatleka CPA, Office of the Regional Land Claims Commissioner, regarding land claims in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994). It is noted that while the ownership of the affected properties may change depending on the outcome of the land claims, the social benefits of the proposed development project as outlined by the social specialist will not be affected by the change of ownership. On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The Applicant confirms that the decision maker on the land claims matter is The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), all measures have been taken to engage with this decision maker. • It is understood that the matter is being addressed by this the Commission in line with the Restitution of Land Rights Act, 1994 (Act 22 of 1994), furthermore, the decision maker has indicated that there has been no formal issue of success of the land claim, to the Claimant, and the decision can take years. Further to this the decision maker/Commission has not objected to the development, but have instructed the applicant to not directly contact the Claimant/s. The warding of an Environmental Authorisation does not constitute the right to construct and must meet other land permit requirements at which point this matter will be properly addressed and formalized.
	2.2 Contradictory Correspondence from the Land Claims Commission The EIR cites three communications from the RLCC – Limpopo: • 19 September 2024: Confirms restitution claims lodged prior to 1998 and mentions dismissal of one claim (RE/430). • 9 October 2024: States there are no land claims against the affected properties and expresses no objection to the development. • 10 June 2025: Reaffirms that restitution claims were lodged prior to 1998. These contradictions reflect uncertainty within the Land Claims Commission and undermine the reliability of the information	**Response from Cape EAPrac:** Thank you for bringing the contradiction to our attention. Please note that Section 3.1.11 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) has been updated in the Final Environmental Impact Report to correctly portray the three communications received from The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo). The three Letters received from the RLCC – Limpopo are as follow: • 19 September 2024 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. The single land claim on Remainder of Draailoop 430 LS was dismissed. Please refer to the extract below as well as Appendix G1b attached to the Final Environmental Impact Report.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response[3]</th></tr>
<tr><td></td><td>forming the basis of the EIR's conclusions. Yet, the EIR proceeds to rely primarily on the 9 October 2024 letter — the one stating no claims exist — to infer that the Commission has effectively cleared the project.

This approach amounts to selective interpretation of evidence. The EIR should have flagged these inconsistencies as a material risk to the project's legal feasibility and recommended resolution prior to any Environmental Authorisation.

Proceeding on such contradictory grounds exposes the process to legal challenge under PAJA (Section 6(2)(e)(iii)), as it constitutes a decision taken without properly considering relevant information.</td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="3">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report.
10 June 2025 – the RLCC – Limpopo indicated that there are restitution land claims lodged prior to 1998. Please refer to extract below as well as Appendix G1d attached the Final Environmental Impact Report.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td rowspan="2">Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
Please note that the EIR rely on the latest information made available from the RLCC – Limpopo (letter received on 10 June 2025), however all previous</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		communication (i.e., letters received in 19 September 2024 and 09 October 2025) are also reflected and included in the Final Environmental Impact Report. **Response from Applicant:** We respectfully dispute that an administrative decision by the Department of Forestry, Fisheries and the Environment ("DFFE") (and specifically, by the Chief Director: Integrated Environmental Authorisations ("the Chief Director") as the decision-maker of first instance) would fall to be dealt with in the first instance as a review ground under PAJA. Any asserted and demonstrable procedural or substantive irregularity by the Chief Director would first be the subject of an administrative appeal delivered in accordance with the requirements of section 43 of NEMA read together with the National Appeal Regulations, 2025. It follows that we dispute your assertion that DFFE's Chief Director cannot grant an authorisation absent the substantive concurrence of an entity.
	2.3 Dismissal of Prior Consent Requirement – A Prejudicial Interpretation The EIR's assertion that: "Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim..." is both legally incorrect and ethically indefensible. While the formal transfer of title has not yet occurred, Section 6(2)(a) of the Restitution Act provides for the protection of claimant interests during the adjudication process. It prohibits acts that may "diminish or prejudice the rights of any claimant." Authorising a 25- to 30-year energy project on claimed land would irreversibly sterilise it, preventing the restitution beneficiaries from exercising full land use rights — including	**Response from Cape EAPrac:** In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	grazing, agriculture, and cultural practices — once the claim is finalised. This action would pre-empt the outcome of the land claim and violate the principles established in Bengwenyama Minerals (Pty) Ltd v Genorah Resources (2011), where the Constitutional Court ruled that procedural fairness and meaningful consultation are essential when development affects land subject to communal or traditional rights. In short, proceeding without consent prejudices the integrity of the restitution process and undermines the constitutional promise of equitable redress.	The Land Claims Letter include the following: "*Note that the property in question must not be disposed of, sold, or leaded without the express permission from the Office of the Regional Land Claims Commissioner: Limpopo."* Considering this, the Applicant agrees to the following condition: "Should the Claimant be awarded a successful Land Claim by The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), (decision making authority). And should: • this decision not be subjected to a valid appeal; and • an EA awarded for the affected properties, in terms of this application. the Applicant will undertake to engage with the successful Claimant as a valid landowner and negotiate an option to lease. **Response from Applicant:** Whilst we note and sympathise with the impact on the Chatekla community of the shameful legacy of forced removals in South Africa before this country's liberation in 1994, we dispute that your ancestral land will be "claimed land would irreversibly sterilise it", as you put it. Assuming for the moment that the land in question is restored to the Chatleka people in the fullness of time after a procedurally and substantively lawful decision-making process that complies with the requirements of the Constitution of the Republic of South Africa Act 108 of 1995 ("the Constitution") read with the Restitution of Land Rights Act 22 of 1994 ("the Restitution Act") and the Promotion of Administrative Justice Act 3 of 2000 ("PAJA"), an approved proposal to develop solar PV facilities and grid infrastructure on that land will in all reasonable likelihood entail significant economic benefit to the Chatleka community.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	2.4 Improper Acceptance of Instruction "Not to Engage with Claimants" The EIR records that on 22 September 2025, Mulilo Renewable Energy contacted the RLCC to request engagement guidance and was verbally advised: "...not to engage directly with the claimants at this stage... to avoid misunderstandings." This alleged instruction, not confirmed in writing, has been treated as a legitimate basis for excluding claimants from further consultation. However, neither the RLCC nor any administrative body has the authority to suspend the public participation obligations enshrined in Regulation 41 of the 2014 EIA Regulations and NEMA Section 2(4)(f).	On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	Accepting this instruction effectively denied the Chatleka CPA and its members meaningful participation. It also demonstrates that the EAP failed to implement a differentiated stakeholder engagement strategy, despite acknowledging that land claimants hold unique and direct legal interests in the project area. This exclusion violates the Promotion of Administrative Justice Act (Section 3), NEMA's participatory principles, and the spirit of restorative justice embedded in the Restitution Act itself.	refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application. **Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
	2.5 Misleading Claim: "Social Benefits Unaffected by Ownership Change" The EIR states that: "While ownership of the affected properties may change depending on the outcome of the land claims, the social benefits of the proposed development will not be affected by the change of ownership." This is a fundamentally flawed assumption. If the land is successfully restored to the Chatleka CPA, the new owners will have the right to redefine land use, renegotiate or reject lease terms, and shape socio-economic arrangements consistent with community objectives.	**Response from Cape EAPrac:** On 09 October 2024 – the RLCC – Limpopo confirmed that the applicant have complied with Section 11 (7) of the Restitution of Land Rights Act (Act 22 of 1994) and that the RLCC – Limpopo have no objection. Please refer to Appendix G1c attached to the Final Environmental Impact Report. The Land Claims Letter include the following: "*Note that the property in question must not be disposed of, sold, or leaded without the express permission from the Office of the Regional Land Claims Commissioner: Limpopo."* Considering this, the Applicant agrees to the following condition:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The assertion that benefits "will not be affected" reflects a lack of understanding of restitution law, under which restored land must serve the social and economic upliftment of its rightful owners. In practice, this statement implies that the project would continue irrespective of ownership, which constitutes a pre-emption of future administrative and ownership decisions — a serious procedural irregularity.	"Should the Claimant be awarded a successful Land Claim by The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), (decision making authority). And should: • this decision not be subjected to a valid appeal; and • an EA awarded for the affected properties, in terms of this application. the Applicant will undertake to engage with the successful Claimant as a valid landowner and negotiate an option to lease. **Response from Applicant** Although the land claim is acknowledged in this EIA process, until the finalisation of the restitution process is concluded, the current title holder remains the landowner. At the time of facilitation this Environmental Process, the CPA is neither the landowner nor the person in control of the land and as such consent is not required in terms of regulation 39. Should land ownership transfer to the CPA during the project's lifespan, there would be an opportunity to renegotiate the terms of the lease agreement to ensure it reflects the community's interests and priorities.
	2.6 Weakness of Proposed Mitigation Condition The EIR proposes the following condition: "Should the Claimant be awarded a successful Land Claim... the Applicant will undertake to engage with the successful Claimant as a valid landowner and negotiate an option to lease." This "condition" is cosmetic and unenforceable. It merely promises "to engage" but sets no parameters for equitable negotiation, compensation, or dispute resolution.	**Response from Applicant** Attached to the Final Environmental Impact Report as Appendix G1d is a copy of the most relevant recent correspondence (dated 10 June 2025) and addressed to the applicant for EA by the Director: Quality Assurance and Administration in the Office of the Regional Land Claims Commissioner: Limpopo in the Commission on Restitution of Land Rights. We reiterate that the applicant for EA acknowledges the contents of the penultimate paragraph of the Director: Quality Assurance and Administration's 10 June 2025 letter, to the effect that express permission is required from the Office of the Regional Land Claims Commissioner: Limpopo in the event that

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	It also creates a fait accompli — once infrastructure is built, the new landowners will inherit heavily altered land and an existing lease structure, effectively coercing them into compliance with a pre-determined development model. This contradicts the intent of Section 25(7) of the Constitution, which mandates equitable restitution, and Section 2(4)(a)(viii) of NEMA, which promotes justice in decision-making. No project condition can retrospectively restore community rights once the land is industrially transformed.	there is any intention by the present landowner to dispose of, sell or lease the subject-property. To the extent necessary and relevant and in the fullness of time, that permission will be sought before any of the acts described in the penultimate paragraph of the Land Claims Department's letter are undertaken (and in this instance, with particular reference to the conclusion of a lease of the immovable properties on which the proposed solar PV facility and its ancillary infrastructure would be situated). The applicant acknowledges the concerns of the CPA and recognizes the sensitivity of the land restitution process. This is why attempts at proactive engagement and dialogue are occurring. The applicant is willing and ready to meet with the CPA leadership to discuss the project, address concerns, and explore potential pathways forward. The applicant previously reached out via the EAP on 13 November 2025 to arrange such a meeting as an additional courtesy, in addition to the formal public participation process to better accommodate the CPA's request for an in-person engagement on their farm. The CPA indicated they did not wish to meet at that time (see email from Motshewa Matimolane dated 14 November 2025). The applicant will continue to engage with the CPA in accordance with Mr. Matimolane's requests. The invitation to meet remains open, and the applicant is prepared to engage in meaningful dialogue whenever the CPA wishes to do so.
	3. Social and Economic Impact Assessment – Overstated Benefits, Understated Costs The Social Impact Assessment (Appendix E7) concludes that the project will yield positive employment and local business benefits. However, the same report acknowledges that:	The findings of the SIA in terms of social benefits are based on the author's extensive experience with undertaking SIAs for renewable energy projects throughout South Africa (in the region of 150 SIAs). The findings are supported by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024).

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Employment opportunities are temporary and skills-dependent; • Procurement benefits will likely accrue to external contractors; and • Local economic participation in the Makhado area is constrained by low diversification and education levels. Despite these admissions, the EIR extrapolates "positive social benefits" for the broader community without substantiating how these benefits will reach the claimant communities most directly impacted. The report fails to propose any formal benefit-sharing, skills transfer, or co-ownership model with the CPA or local landholding entities. This omission reinforces concerns that the community will again be marginalised in economic activities occurring on its own land.	The SIA notes that if the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss in more detail how local communities can benefit from the project. This may involve benefit-sharing arrangements or equity participation opportunities. These engagements and the nature of the agreements would be for discussion between the landowner and the project developer. The SIA also identifies measures to enhance opportunities for local economic development, including: - The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. - Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. - Strict financial management controls, including annual audits, should be instituted to manage the SED contributions. Details of formal benefit-sharing arrangements and skills programmes would be discussed if the project is granted environment authorisation.
	4. Land Use and Agricultural Impacts The EIR identifies the reduction of natural grazing land as a negative but "manageable" impact. For the Chatleka CPA, this is a central concern. Post-restitution land use plans for the area emphasise agriculture, livestock farming, and conservation-based enterprises. The development footprint — exceeding 300 hectares for the Draailoop facility and over 1,000 hectares across	The Environmental Impact Report (EIR) identifies the reduction of natural grazing land as a negative impact and proposes mitigation measures to minimize disruption. While the development footprint is substantial the EIA process includes a thorough assessment of cumulative impacts, including landscape fragmentation and long-term land use compatibility. The EIA process cannot consider post restitution land use in detail, as this process is yet to be concluded.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	the cluster — will sterilise prime grazing and arable land for at least 25 years. This is inconsistent with the Restitution of Land Rights Act's rehabilitative purpose, which seeks to restore both ownership and productive use. Moreover, the EIR's mitigation proposals (e.g., fencing and controlled access) do not address cumulative landscape fragmentation, which will restrict the community's ability to use surrounding land sustainably.	As committed to by the applicant, if the land claim is successful, the applicant will engage with the CPA as the lawful land owner.
	5. Heritage and Cultural Landscape Impacts The Heritage Impact Assessment (Appendix E4) identifies archaeological remains and culturally significant granite koppies within the proposed development area. While the report concludes that no significant impacts are anticipated if koppies are excluded, the EIR fails to: 1. Provide a verified layout map showing that all sensitive areas are excluded; 2. Document consultation with descendant or claimant communities regarding cultural value; and 3. Clarify whether the recommended Conservation Management Plan (CMP) has been drafted, adopted, or integrated as a binding condition. The EIR's statement that "the area proposed for development has insufficient value to warrant formal protection" is unsubstantiated and dismissive of living heritage and intangible	**RESPONSE FROM HERITAGE SPECIALIST** See section 4.3 of the HIA for the final layout of the facility mapped against the identified heritage resources The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site. It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	cultural links between the Chatleka community and the landscape. This violates Section 38(3)(e) of the National Heritage Resources Act, which requires community consultation when heritage is potentially affected.	process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.
	6. Misapplication of Strategic Integrated Project (SIP) Exemption The EIR claims that: "Landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014." This assertion is misleading and legally inaccurate. SIP designation expedites administrative coordination; it does not override constitutional rights, pending land claims, or NEMA's participatory provisions. There is no evidence that the SIP designation process included due consideration of unresolved land restitution cases. Using SIP classification as justification for bypassing landowner or claimant consent sets a dangerous precedent of development before justice. I therefore request that Cape EAPrac disclose the Infrastructure SA letter confirming SIP status, along with the legal opinion on its applicability to land under restitution.	**Response from Cape EAPrac:** Chapter 6, Regulation 39 of the Environmental Impact Assessment Regulations (2014) – **Activity on land owned by person other than proponent** states - • (1) – If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land. Please note that Landowner Consent was received from the current landowner and attached as Appendix G2 to the Final Environmental Impact Report. • (2) – Subregulation (1) does not apply in respect of – ○ (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. In terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for Strategic Integrated Projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV have all been classified as Strategic Integrated Projects. Please refer to Appendix G1f attached to the Final Environmental Impact Report for a letter from Infrastructure SA confirming SIP status of these projects.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		Response from applicant: SIP status streamlines administrative processes within the legal framework of South African law. The land claim review remains solely within the jurisdiction of the Department of Land Reform and Rural Development. The SIP designation has no bearing on the outcome of land claims or the rights of claimants under the Restitution of Land Rights Act.
	7. Procedural and Ethical Deficiencies • Public Participation: Treating land claimants as ordinary Interested and Affected Parties (I&APs) disregards their special legal status. • Access Barriers: Documentation was largely distributed electronically, excluding rural claimants without internet access. • Time Constraints: The 30-day comment period is insufficient for meaningful engagement among dispersed rural stakeholders. • Equity Principle: The EAP did not facilitate translation, legal interpretation, or independent technical support for claimants. These procedural shortcomings violate NEMA Section 2(4)(k), which requires that all people have the opportunity to develop understanding and participate in decisions that affect their environment.	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025. • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities.
	8. Requests and Recommendations Based on the above, I respectfully request that: 1. Cape EAPrac and Mulilo Renewable Energy suspend the EIA process until the status of the land claims is definitively resolved and confirmed in writing by the RLCC.	**Response from applicant:** Within the framework of the EA process under NEMA, all parties are treated equally as Interested and Affected Parties (I&APs). The public participation process is designed to be inclusive and equitable, ensuring that all I&APs, whether individuals, communities, organizations, or claimants, have equal access to information, equal opportunity to comment, and equal consideration of their submissions. This approach ensures fairness and transparency in the environmental assessment process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. A differentiated engagement plan be developed to enable direct, structured consultation with the Chatleka CPA and other claimants, consistent with FPIC principles. 3. A Supplementary Social and Heritage Impact Assessment be commissioned, specifically addressing restitution, equity, and benefit-sharing. 4. The Competent Authority (DFFE) withhold any Environmental Authorisation until these procedural defects and equity concerns are remedied. 5. Should the project proceed, a binding community benefit-sharing framework and joint governance mechanism be negotiated with the Chatleka CPA before construction.	
	9. Closing Statement As a member of the Chatleka CPA Extended Executive Committee, I reiterate our principled position: "We do not oppose renewable energy or solar development in principle; we oppose development on our ancestral land in a manner that excludes us from participation, decision making, and long-term benefit. True empowerment must not reproduce historical patterns of dispossession." The Restitution of Land Rights Act is not merely a bureaucratic mechanism — it is a constitutional instrument for restorative justice. Any project that ignores its implications risks perpetuating the very injustices it seeks to redress. I therefore call upon Cape EAPrac to engage sincerely and constructively with the Chatleka CPA and other neighboring	Duly noted. Please refer to responses provided above on the letter dated 10/11/2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	claimant communities to ensure that renewable energy development proceeds in a manner that is legally compliant, socially equitable, and ethically sound.	
10/11/2025 Via Letter Chatleka CPA Comment received from Mr Motshewa Matimolane **Social Impact Assessment**	**1. Introduction and Context** I submit this objection in my personal capacity as a member of the Extended Executive Committee (EXCO) of the Chatleka Communal Property Association (CPA), one of the land claimants whose claim is currently under consideration by the Regional Land Claims Commission (RLCC) for the properties directly affected by the proposed Draailoop Solar PV Facility. The Social Impact Assessment (SIA), prepared as Appendix E7 to the Revised Draft Environmental Impact Report (EIR) (November 2025), forms a critical part of the decision making process for this project. As a representative of a community with a pending land claim and historical ties to the affected properties (Portion 1 of Farm 425, Remainder of Farm 430, and Farm 431), I have both a legal interest and a moral obligation to ensure that the social impact process is equitable, inclusive, and accurate in its reflection of the affected communities.	Duly noted. Please refer to the responses provided below on the letter dated 10/11/2025. Responses were compiled with input from the appointed Social Specialist (Tony Barbour Environmental Consulting). Most of the comments relating to the SIA are linked to concerns that the SIA does not address restitution issues related to land claims. As a result, the comment is that the SIA does not address the historical and psychological links to the land and fails to assess the potential opportunities costs for the land claimants. The dispossession of the land on which the projects are located predates the proposed Tabour PV Cluster project. The development of the proposed Tabour PV Cluster project is therefore not linked to the history of the land that is the subject of the land claim. The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This function rests with the Department of Agriculture, Land Reform and Rural Development. The focus of the SIA is therefore on the site and the surrounding areas as per accepted best practice. In the event that the land claims are successful, the impact of the dispossession of land on the affected community would be addressed as part of the settlement negotiations managed by the Department of Agriculture, Land Reform and Rural Development. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		subject to current land claims. The outcome of the EIA process will also not have a bearing on the outcome of the land claim. In terms of the land claims the SIA notes that the Regional Land Claims Commission has confirmed by letter (2025-06-10) that land claim assessment reports have been approved for the project properties. The relevant claimants are the Chatleka CPA (430/RE), Dithakone CPA (425/1, 466/1), Matjuda Family (431), and Mororkwane CPA (651/1). Of relevance, the Commission notes that while the claims are pending, the properties may not be leased or sold without prior permission of the Office of the Regional Land Claims Commissioner: Limpopo. Land claimants must be consulted where application for permission is contemplated. If the claims are successful, the developers of the proposed Tabour PV Cluster project will be required to engage with the new landowners.
	2. Overview of the Social Impact Assessment (SIA) The SIA identifies a range of anticipated social impacts associated with the project, including: • Temporary job creation during construction; • Limited permanent employment opportunities during operation; • Potential local procurement opportunities; • Improved access to renewable energy infrastructure; and • Land use transformation from grazing and agriculture to industrial-scale solar facilities. While the SIA acknowledges that the project area is subject to active land claims, it explicitly states that: "It is beyond the scope of the SIA to assess or comment on the status of the land claims."	**Response from Tony Barbour Environmental Consulting:** The SIA does not treat rights and restitution as irrelevant. The SIA notes that the process of assessing land claims (validity thereof and outcome) falls outside the scope of both the SIA and EIA process. The land claims process in South Africa involves three main phases: lodging, investigation, and resolution. To lodge a claim, individuals must submit documents like an ID and a power of attorney if acting on behalf of a family or community. The Department of Agriculture, Land Reform and Rural Development then investigates the claim, and if it is found valid, a settlement is negotiated and implemented, which can involve financial compensation or the restoration of land. The SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. However, as indicated in the SIA, the SIA cannot assess and or comment on the validity or status of the land claims. This

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	This position represents the fundamental weakness of the report: it treats land ownership, land rights, and restitution—the central social issue of this project—as irrelevant to the assessment of social impact. As a result, the SIA fails to meet its core purpose under NEMA Section 24O(1)(b) — to identify, predict, and evaluate the social and economic impacts of the proposed activity on people, their rights, and their livelihoods.	function rests with the Department of Agriculture, Land Reform and Rural Development. In the event that the land claim is successful, the impact of the dispossession of land on the affected community would be addressed as part of the settlement negotiations managed by the Department of Agriculture, Land Reform and Rural Development. The SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. The SIA does not therefore "fail to meet its core purpose under NEMA Section 24O(1)(b) — to identify, predict, and evaluate the social and economic impacts of the proposed activity on people, their rights, and their livelihoods".
	3. Grounds for Objection **3.1 Exclusion of Land Claimants as Distinct Stakeholders** Although the SIA notes that the project area is "subject to land claims," it treats the claimants as ordinary Interested and Affected Parties (I&APs) rather than as primary social stakeholders with legally recognised interests in the land. This oversight has several implications: 1. The unique social, economic, and cultural interests of the Chatleka CPA were not assessed. 2. The potential loss of future livelihoods and restitution benefits was ignored. 3. The psychological and historical impacts of another development imposed on land under claim were omitted.	**Response from Tony Barbour Environmental Consulting:** As indicated above, the SIA acknowledges that that the project area is subject to land claims, however, it is beyond the scope of the SIA to assess or comment on the land claim process. As such the SIA cannot pre-empt the outcome of the land claim process by assuming that the land claim is valid. It can only note that the project area is subject to current land claims. Given that the land claim has not been finalised the SIA cannot assess: • The unique social, economic, and cultural interests of the Chatleka CPA. • The potential loss of future livelihoods and restitution benefits. • The psychological and historical impacts of another development imposed on land under claim. In the event of a successful land claim, these issues would inform the settlement negotiation facilitated by the Department of Agriculture, Land Reform and Rural

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The exclusion of claimants from a differentiated consultation process violates NEMA Section 2(4)(f), which requires special consideration of previously disadvantaged communities, and undermines the principles of restorative justice underpinning South Africa's land reform framework.	Development. These negotiations would be between the successful applicant and the landowners/s. The involvement of the project developer would be informed by the outcome of the Environmental Impact Assessment (EIA) process.
	3.2 Misrepresentation of Community Consent and Participation The SIA references a comment from myself (Mr. Motshewa Matimolane) submitted during the Scoping Phase, in which we stated: "Our communities do not oppose solar development in principle; we oppose the notion that it can be planned and implemented without our participation and prior consent. We resist the assumption that empowerment means leasing ancestral land to outside developers while remaining peripheral to the long-term benefits." The SIA and EIR, however, dismiss this position by stating that: "Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim." This reasoning is legally and ethically untenable. Even though the land claim is pending, the Restitution of Land Rights Act (Section 6(2)(a)) protects claimants from any action that may prejudice the outcome of the claim. Allowing a 25–30 year solar project to proceed without consent pre-empts the restitution process, effectively sterilising the land and denying claimants their full rights as future landowners.	**Response from Tony Barbour Environmental Consulting:** The SIAs (Bethel, Draailoop, Klipput and Makkoppa) do not refer to the comment from yourself (Mr. Motshewa Matimolane) submitted during the Scoping Phase. Likewise, the SIAs do not state: "*Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim*."

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The principle of Free, Prior, and Informed Consent (FPIC)—recognized by South Africa through its adoption of international human rights and environmental standards—requires that affected communities be consulted meaningfully and consent obtained prior to development on contested land. This was not done.	
	3.3 Narrow Definition of Social Benefits The SIA lists job creation and local procurement as the main positive benefits but fails to contextualise these within local socio-economic realities. The report itself concedes that: • Local communities face low education and skill levels, limiting their employability. • Most project benefits will accrue to external contractors and engineering companies. • The local economy of the Makhado Local Municipality is poorly diversified, limiting the capacity of small enterprises to benefit. Despite acknowledging these constraints, the SIA rates the social impact of employment as "high positive." This is a contradiction. There is no evidence that the project will generate sustainable employment, long-term skill development, or equitable benefit-sharing. The local communities, including Chatleka CPA members, are thus likely to remain marginal to the project's economic benefits—a continuation of historic exclusion patterns.	**Response from Tony Barbour Environmental Consulting:** The findings of the SIAs (Bethel, Draailoop, Klipput and Makkoppa) assess the potential employment opportunities associated with the construction and operational phase. The significance with mitigation for the Construction (Section 4.3.1) and Operational Phase (Section 4.4.2) for a single PV SEF is rated as Medium Positive for both the Operational and Construction Phase. The impact is not assessed to be High Positive. The SIA also notes that the creation of employment and business opportunities are confirmed by the findings of the Overview of the IPPPP undertaken by the Department of Energy, National Treasury and DBSA (December 2024). In terms of enhancement measures the SIA notes: • The local authorities, CPAs representatives, and organisations on the interested and affected party database, should be informed of the final decision regarding the project and the potential job opportunities for locals and the employment procedures that the proponent intends following for the construction phase of the project. • Where feasible, training and skills development programmes for locals should be initiated prior to the initiation of the construction phase. • The recruitment selection process should seek to promote gender equality and the employment of women wherever possible.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The SIA also notes that the proposed development will generate income of the project landowners (Section 4.4.3). Section 4.4.3 states that as indicated in the assumptions (Section 1.5.1), the SIA acknowledges that the project area is subject to land claims. While the ownership of the affected properties may change depending on the outcome of the land claim, the benefits to the project landowners whoever they are will remain. It is beyond the scope of the SIA to assess and or comment on the status of the land claims. If the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss the issue in more detail.
	3.4 Failure to Assess Impacts of Land Use Transformation The SIA recognises that the development will lead to: "The reduction of land with natural vegetation for livestock grazing." For the Chatleka CPA, whose land restitution vision centres on agriculture, grazing, and sustainable rural livelihoods, this impact is profound. The transformation of over 300 hectares of potential grazing and agricultural land into industrial solar infrastructure directly undermines the community's post-restitution land use options. This represents a loss of opportunity, which is a measurable negative social impact—yet the SIA dismisses it as negligible. No mitigation measures or compensation mechanisms are proposed for claimants who may lose the ability to pursue agricultural or conservation-based economic activities on their restored land.	**Response from Tony Barbour Environmental Consulting:** The reference to "The reduction of land with natural vegetation for livestock grazing" is contained in Section 3.2 (Overview of the Study Area), under Table 3.1, Land use and inhabitation of affected and adjacent properties, and refers to the land use on 467/RE Malle Moelle, which is owned by the Mokororwane CPA. The SIA did not assess the loss of agricultural land. At the time of preparing the SIAs the status of the land claims had not been finalised. Based on engagement with the current owners the loss of land for the establishment of the solar projects was regarded as acceptable. The statement that the SIA dismissed the reduction of land as negligible is therefore factually incorrect. The loss of land with natural vegetation for livestock grazing would form part of the Agricultural Assessment. The Chatleka CPA restitution vision centred on agriculture, grazing, and sustainable rural livelihoods, is dependent upon the outcome of the land claim. As indicated above, if the project is granted Environmental Authorisation (EA) and the land claims are successful, the proponent will engage with the successful land claimants to discuss the issue in more detail. This may involve

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		identifying potential alternative livelihood strategies to compensate for the loss of land for grazing.
	3.5 Absence of Benefit-Sharing or Equity Mechanisms The SIA makes no reference to any benefit-sharing arrangement, community trust, or equity participation structure that would ensure long-term benefits to local or claimant communities. This omission is critical. Under international and national social performance standards (e.g., IFC Performance Standard 7, NEMA Section 2(4)(c), and the DFFE's Just Transition Framework), projects on communal or restitution land must demonstrate community-level benefit. Without such arrangements, the SIA's assertion that the project will have a "positive social outcome" is baseless.	**Response from Tony Barbour Environmental Consulting:** Section 4.4.4 of the SIA, Benefits associated with the socio-economic development contributions, indicates that REIPPPP has been designed not only to procure energy but has also been structured to contribute to the broader national development objectives of job creation, social upliftment and broadening of economic ownership. The SIA notes that socio-economic development (SED) contributions are an important focus of the REIPPPP and are aimed at ensuring that local communities benefit directly from the investments attracted into the area. These contributions create an opportunity to generate a steady revenue stream over an extended period. This revenue can be used to fund development initiatives in the area and support the local community. The long-term duration of the revenue stream also allows local municipalities and communities to undertake long term planning for the area. The SIA identifies measures to enhance opportunities for local economic development, including: • The proponents should liaise with the MM and CPAs to identify projects that can be supported by SED contributions. • Clear criteria for identifying and funding community projects and initiatives in the area should be identified. The criteria should be aimed at maximising the benefits for the community as a whole and not individuals within the community. • Strict financial management controls, including annual audits, should be instituted to manage the SED contributions. The SIA does therefore refer to SED opportunities for local communities. As indicated above, if the project is granted Environmental Authorisation (EA) and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		the land claims are successful, the proponent will engage with the successful land claimants to discuss in more detail how local communities can benefit from the project. This may involve benefit-sharing arrangements or equity participation opportunities. These engagements and the nature of the agreements would be for discussion between the landowner and the project developer.
	3.6 Overlooking Cumulative and Intergenerational Impacts The Draailoop facility is part of a larger Tabor Cluster (Bethel, Klipput, Makoppa, and Draailoop) with a combined footprint exceeding 1,000 hectares. The SIA fails to assess cumulative social impacts across the cluster, including: • Combined land transformation; • Long-term displacement of local agricultural economies; • Pressure on social infrastructure; and • The perception of loss of ancestral landscapes among claimant communities. Moreover, the SIA does not address intergenerational impacts—how the project will affect future generations of land claimants who will inherit the land after restitution is finalised. This omission contradicts NEMA Section 2(4)(a)(vii), which requires that environmental and social management consider the rights of future generations.	**Response from Tony Barbour Environmental Consulting:** The cumulative assessment of combined land transformation and local agricultural economies would typically be covered by the agricultural assessment. The SIA does assess the potential cumulative impact of the combined project and other renewable energy projects on social infrastructure (Section 4.6, cumulative impact on local services and accommodation). The significance is rated as Medium Negative. The perception of loss of ancestral landscapes among claimant communities and intergenerational impacts on land claimants who will inherit the land after restitution is finalised has not been assessed. As indicated above, the SIA acknowledges that portions of the land on which the proposed project are located are subject to land claims. At the time of preparing the SIA the status of the land claims had not been finalised. It is reasonable to assume that the Department of Agriculture, Land Reform and Rural Development when assessing land claims submitted by CPAs will consider the loss of ancestral landscapes. With regard to intergenerational impacts, these are linked to the status of the land claim. If the land claim is successful, the intergenerational impacts will fall away. If the land claims are unsuccessful, it implies that that the CPAs do not have an ancestral claim to the land.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		As indicated above, The SIA notes that the process of assessing land claims (validity thereof and outcome) falls outside the scope of the SIA and EIA process.
	3.7 Procedural Deficiencies in Consultation The SIA and EIR both rely on the claim that all Interested and Affected Parties (I&APs) were given equal opportunity to participate. However, "equal opportunity" is not the same as equitable access. Specific procedural concerns include: • Public notices and documents were distributed primarily online, excluding rural communities with limited internet access. • No vernacular translations or simplified summaries were made available. • No dedicated community consultation workshops were held with claimant communities. • The applicant accepted a verbal instruction from the RLCC "not to engage directly with claimants", which effectively blocked meaningful participation. These procedural defects violate the principles of administrative fairness (PAJA Section 3) and meaningful participation (NEMA Section 2(4)(f)).	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session**

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. **Response from the applicant:** This telephonic communication did not hinder the registration of the CPA as an I&AP. It reiterated that the current legal reality is that the land is privately owned, and the land claim remains under review by the Department of Land Reform and Rural Development. The outcome and timeline of that process are not within the control of the applicant, the EAP, or the DFFE. The Department advised that it would be inappropriate to create misunderstandings by treating the claimant as the landowner while the claim remains unresolved and ownership has not been transferred, and the applicant followed this guidance.
	4. Requests and Remedies Given these substantive and procedural deficiencies, I formally request the following: 1. Suspension of approval of the SIA pending a full revision that includes a claimant specific assessment.	**Response from Cape EAPrac:** Three public participation periods have been completed thus far: • 25 April 2025 – 27 May 2025 (Draft Scoping Report) • 22 August 2025 – 26 September 2025 (Draft Environmental Impact Report) • 07 November 2025 – 08 December 2025 (Revised Draft Environmental Impact Report)

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. Direct consultation between Cape EAPrac, the social specialists, and the Chatleka CPA (and other affected CPAs) to gather accurate community perspectives. 3. Inclusion of a Restitution Impact Assessment component, explicitly analysing how the project affects restitution outcomes, livelihoods, and land use rights. 4. Preparation of a Community Benefit-Sharing and Local Development Plan, detailing commitments to: • Employment quotas for local and claimant members; • Equity participation or revenue-sharing options; • Skills development and enterprise support programmes; and • Reinvestment of socio-economic development (SED) funds in the claimant community. 5. A Cumulative Social Impact Assessment for the full Tabor Cluster, assessing long term, intergenerational, and landscape-scale social consequences. 6. Extension of the public participation period by at least 60 days to allow for proper consultation with rural claimants.	All communication / input / comments received since the erection of site notices on 28 January 2025 up to date, including periods between the Public Participation Periods listed above have been considered and included in the Comments and Reponses Report and appended to the Final Environmental Impact Report as Appendix F2. Since the submission of the Final Environmental Impact Report on 06 October 2025, with its subsequent withdrawal to accommodate concerns raised by an Interested and Affected Party relating to the public participation process, notifications of extension contemplated in Regulation 23(1)(B) for the proposed developments were submitted to the DFFE. The Revised Final Environmental Impact Report must therefore be submitted to the competent authority within 156 days from Acceptance of the Final Scoping Report in order to align with the regulated timeframes of the Environmental Impact Assessment Regulations (2014) and the public participation period can therefore not be extended any further. **Response from the applicant:** The applicant acknowledges the importance of detailed community benefit-sharing arrangements and local development planning. However, it's important to understand the sequencing of project development milestones. The Environmental Authorization (EA) is the first of many critical development steps required before a project can proceed. Significant investment in detailed community benefit plans, employment frameworks, and economic development initiatives can only realistically commence once EA is secured, as this authorization demonstrates project viability and allows developers to commit substantial resources to community engagement and benefit-sharing structures.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	5. Conclusion The Social Impact Assessment for the Draailoop Solar PV Facility fails to meet the standards of rigour, inclusivity, and fairness required under South African environmental law and international best practice. By ignoring the implications of unresolved land claims, overlooking the loss of agricultural land, and overstating local benefits, the SIA presents an incomplete and misleading picture of the project's true social consequences. As a member of the Chatleka CPA Extended Executive Committee, I reaffirm our position: "We do not oppose solar development in principle; we oppose development that proceeds without our participation, consent, and equitable share in the benefits arising from our land." Until these deficiencies are addressed through genuine engagement and equitable redesign of social mitigation measures, the Chatleka CPA cannot support the SIA or the conclusions it advances.	Duly noted. Please refer to the responses provided above on the letter dated 10/11/2025. Responses were compiled with input from the appointed Social Specialist (Tony Barbour Environmental Consulting).
10/11/2025 Via Letter Chatleka CPA Comment received from Mr Motshewa Matimolane	**1. Introduction and Interest** I submit this objection in my personal capacity as a member of the Extended Executive Committee (EXCO) of the Chatleka Communal Property Association (CPA), which is a recognized land claimant in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994). The claim includes portions of the farms Portion 1 of 425, Remainder of 430, and Farm 431, which fall	**<u>RESPONSE FROM HERITAGE SPECIALIST</u>** The opinions of the respondent are noted and land claim related queries to be directed to the relevant channels at the Land Claims Court.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Heritage Impact Assessment	within the proposed Draailoop Solar PV Facility footprint, as outlined in the Heritage Impact Assessment (Appendix E4) prepared by CTS Heritage (2025). As both a directly affected claimant and a member of the Chatleka CPA leadership, I have a vested interest in ensuring that our cultural, historical, and living heritage—as well as that of neighboring claimant communities—is accurately identified, properly valued, and meaningfully protected within the environmental authorisation process. This submission therefore focuses on substantive and procedural objections to the Heritage Impact Assessment (HIA) for the proposed Draailoop Solar PV Facility and the Tabor Solar cluster.	
	2. Overview of the Heritage Impact Assessment (HIA) The HIA identifies the following heritage considerations: • The study area is located within the Soutpansberg–Waterberg region, known for its archaeological, historical, and cultural significance. • Granite koppies and rocky outcrops within the project area contain archaeological materials, including stone tools, ceramic fragments, and possible burial sites. • The report classifies these features as significant but manageable, recommending that no development occur on or within the koppies and that a Conservation Management Plan (CMP) be developed.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• It concludes that, provided these mitigation measures are adopted, the overall impact on heritage resources is of low significance. While these findings acknowledge the presence of heritage resources, the report's conclusions are superficial, incomplete, and procedurally deficient, particularly in relation to community consultation, cultural value assessment, and integration with land restitution context.	
	3. Key Grounds for Objection **3.1 Inadequate Community Consultation and Exclusion of Land Claimants** Section 38(3)(e) of the National Heritage Resources Act (Act 25 of 1999) requires that any heritage assessment include consultation with communities whose heritage resources may be affected. However, the HIA notes no direct engagement with the Chatleka CPA or other affected claimant communities, despite acknowledging that the project area falls within land currently subject to active restitution claims. The failure to consult the communities that have historical, cultural, and spiritual ties to the land: • Invalidates the representativeness of the heritage assessment; • Violates the procedural fairness requirements of both the National Heritage Resources Act and NEMA Section 2(4)(f); and	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Undermines the legitimacy of the HIA's conclusions regarding the absence of "intangible" or "living" heritage. The CPA has living oral histories, ancestral sites, and community graves in this area, yet no attempt was made to document or verify these narratives through engagement with local elders or traditional custodians.	
	3.2 Narrow Focus on Physical Archaeology and Exclusion of Living Heritage The HIA focuses predominantly on archaeological artefacts (stone tools, ceramics, and rock shelters) but fails to assess the living cultural landscape—including sacred sites, ancestral connections, and intangible cultural values—associated with the area. This omission directly contradicts the definition of "heritage resources" under Section 3(2)(b) of the National Heritage Resources Act, which explicitly includes: "Places to which oral traditions are attached or which are associated with living heritage." By disregarding this, the assessment presents an incomplete picture that privileges the archaeological record over living heritage. For claimant communities such as the Chatleka CPA, cultural continuity and land-based identity are as significant as physical artefacts.	**RESPONSE FROM HERITAGE SPECIALIST** The Heritage Impact Assessment process must assess impacts to heritage resources resulting from the proposed activity. Impacts to places associated with cultural activities can be mitigated through the identification and protection of these places using mechanisms such as buffers to ensure that the design of the development respects these places. Opportunities for ongoing cultural activities within the development area limited to the heritage buffer zones identified. All cultural activities must be compatible with the approved layout and the functional requirements of the site.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	This failure reduces our history to "objects" rather than ongoing relationships with land, which are central to both restitution and heritage protection.	
	3.3 Lack of Participatory Validation of Findings The HIA makes categorical statements such as: "The area proposed for development has insufficient value to warrant formal protection." This conclusion was reached without participatory validation. It assumes authority to determine cultural value without consulting the communities of origin. Such determinations are not scientifically or ethically valid without the participation of the people whose heritage is under consideration. The absence of a participatory validation process violates the spirit of UNESCO's 2003 Convention for the Safeguarding of Intangible Cultural Heritage, which South Africa has ratified, and which requires that communities identify and define their own heritage.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.
	3.4 Absence of a Verified Map of Heritage Exclusion Zones Although the HIA recommends that "no development take place within or on the granite koppies," the EIR does not include a map confirming the exact exclusion zones. Without such verification: • It is impossible for the community or authorities to ensure that construction boundaries do not encroach upon sensitive heritage areas.	**RESPONSE FROM HERITAGE SPECIALIST** Mapped exclusion zones are included in section 4.3 of the HIA report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	• Any claims of "low significance" are premature, as spatial uncertainty remains unresolved. The lack of mapped exclusion zones undermines Regulation 38(3)(g) of the National Heritage Resources Act, which requires that the location and nature of heritage resources be clearly identified.	
	3.5 No Conservation Management Plan (CMP) Attached or Adopted The HIA recommends the preparation of a Conservation Management Plan (CMP) but does not provide it, nor confirm that one has been prepared, adopted, or reviewed by SAHRA or LIHRA. This means that a key mitigation measure—one that the HIA itself deems necessary— remains outstanding. Proceeding without a CMP: • Contradicts the report's own recommendations; • Fails to meet the precautionary principle under NEMA Section 2(4)(a)(vii); and • Exposes both the developer and the authorities to non-compliance with heritage protection obligations. Until a CMP is developed in consultation with affected communities, no credible heritage mitigation plan exists for this project.	**RESPONSE FROM HERITAGE SPECIALIST** It is recommended that the property owner and developer sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The recommendation for a CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project.
	3.6 Cumulative Heritage Impacts Across the Tabor Solar Cluster	**RESPONSE FROM HERITAGE SPECIALIST** See section 5.5 for an assessment of cumulative impacts.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	The Draailoop facility is part of a larger 795 MW Tabor Solar Cluster, including the Bethel, Klipput, and Makoppa Solar PV Projects. Each of these facilities occupies land historically associated with indigenous communities and traditional settlements. Yet the HIA treats the Draailoop site in isolation, without assessing the cumulative loss of heritage landscape integrity across the cluster. This piecemeal approach violates NEMA's requirement (Section 24O(1)(b)(v)) that cumulative impacts be considered and fails to reflect the spatial continuity of cultural landscapes that extend beyond individual project boundaries.	
	3.7 Overlooking the Restitution Context in Heritage Assessment The HIA makes no reference to the Restitution of Land Rights Act or the existence of active land claims, despite the EIR explicitly acknowledging these claims in Section 3.1.11. This omission is critical: the Restitution Act and the National Heritage Resources Act intersect in protecting land that embodies historical dispossession. Ignoring the restitution context reduces heritage to static artefacts and overlooks the cultural and historical continuity of dispossession, which is central to understanding the land's significance.	**RESPONSE FROM HERITAGE SPECIALIST** Land rights are addressed through the land claims process. The NHRA does not address land claims.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	In short, the HIA decontextualises heritage from history. This is incompatible with post apartheid heritage ethics and the Constitutional mandate (Section 25(7)) for restorative justice.	
	4. Procedural and Ethical Concerns • Exclusion of Claimants: The assessment process failed to notify or involve the Chatleka CPA in fieldwork or review of findings. • Transparency: The full list of heritage sites identified has not been publicly shared with affected communities. • Timing: The HIA was conducted prior to the completion of the revised land claim verification process, precluding integration of claim-based knowledge. • Access Barriers: Rural claimants were not provided accessible copies or vernacular translations of the report. These deficiencies amount to procedural injustice under PAJA Section 3, as they deny affected parties fair administrative participation in decisions affecting their heritage.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA. A full list of the identified heritage resources is included in Table 2 of the HIA which has been shared with the public.
	5. Requests and Remedies In view of the above, I formally request the following: 1.Suspension of the heritage authorisation process until meaningful consultation has occurred with the Chatleka CPA and other claimant communities.	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	2. Preparation of a revised and participatory Heritage Impact Assessment, incorporating oral history, living heritage, and restitution context. 3. Mapping and disclosure of all identified heritage sites, including koppies, burial grounds, and archaeological features, to the affected communities. 4. Development of a Conservation Management Plan (CMP) in collaboration with the Chatleka CPA and approval by SAHRA prior to any construction activity. 5. Cumulative heritage assessment across all four Tabor Cluster projects to evaluate loss of landscape and cultural continuity. 6. Recognition of claimant communities as custodians of heritage resources within their ancestral land and inclusion of their representatives in all heritage monitoring and mitigation teams.	The updated HIA will be shared with all interested and affected parties
	6. Conclusion The Heritage Impact Assessment for the Draailoop Solar PV Facility is procedurally defective, substantively incomplete, and ethically deficient. It fails to meet the standards required under the National Heritage Resources Act, NEMA, and international heritage protection principles. As land claimants and custodians of this land's cultural identity, the Chatleka CPA and its members cannot support the HIA's conclusions or recommendations in its current form. I therefore call upon Cape EAPrac, CTS Heritage, and SAHRA to revisit the assessment through a transparent, participatory, and inclusive process that genuinely reflects the voices, histories,	**RESPONSE FROM HERITAGE SPECIALIST** Engagement is sought with the CPA in order to record any oral history or intangible heritage resources that the heritage consultant is not aware of, in order to ensure that all significant heritage resources are addressed in the HIA. A community engagement session is scheduled for 25 November 2025 in order to address this gap in the HIA. The updated HIA will be shared with all interested and affected parties

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	and rights of the communities most intimately connected to the land.	
09/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	Further to my earlier email, Please note that we are in the process of drafting our initial formal response to mainly the EIR, SIA and HIA. We should be able to share it tomorrow.	Duly noted. No response required.
09/11/2025 Via Email Chatleka CPA Comment received from Mr Motshewa Matimolane	While combing through the stack of EIA documents on your website, I came across the attached letter, which raised some concerns in light of our ongoing efforts to engage meaningfully on the proposed project. The letter suggests that Mulilo, the project proponents and EAPrac, the EAP, have been advised by the Regional Land Commissioner to *"not engage directly with the claimant at this stage."* Could you please share a copy of the correspondence or directive from the Regional Land Commissioner referenced in that statement? We would also appreciate your clarification on EAPrac's current posture regarding this matter, particularly given our continued attempts to reach out for engagement — in a setting (our farms), language, and manner that would allow for meaningful and constructive discussions.	On 22 September 2025, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, advised the applicant not to engage directly with the claimants at this stage. The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability and included in the additional public participation process to allow meaningful participation. Please also refer to Section 8 of the Final Environmental Impact Report for the complete Public Participation Process undertaken as part of this Environmental Authorisation Application.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	We look forward to your response and to finding a mutually respectful way forward.	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters (in English and Tshivenda). • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Public Open Day / Information Session** • Public Open Day / Information Session held at the Vleifontein Community Hall in Louis Trichardt on 25 November 2025.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		• The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda. 3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. **Response from the applicant:** This telephonic communication did not hinder the registration of the CPA as an I&AP. It reiterated that the current legal reality is that the land is privately owned, and the land claim remains under review by the Department of Land Reform and Rural Development. The outcome and timeline of that process are not within the control of the applicant, the EAP, or the DFFE. The Department advised that it would be inappropriate to create misunderstandings by treating the claimant as the landowner while the claim remains unresolved and ownership has not been transferred, and the applicant followed this guidance.
07/11/2025 Via Email Chatleka CPA	Thank you for your detailed response and for the clarifications provided regarding access to the revised reports and the arrangements for the upcoming public engagement session. While we appreciate the additional steps undertaken to improve inclusivity and transparency, we remain concerned that hosting	We thank you for your detailed submission and for highlighting the concerns regarding inclusivity, accessibility, and the format of the public engagement session. Your input is important to ensuring that the process remains transparent, fair, and responsive to all affected stakeholders.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Comment received from Mr Motshewa Matimolane	the engagement session at the Vleifontein Community Hall will not adequately accommodate the affected members of the Chatleka CPA and neighbouring communities. It is important to note that most beneficiaries of the neighbouring CPA do not reside in Ward 20, where the Vleifontein Community Hall is located. The majority of these members are based in Matoks and Indermark near Vivo, which makes it difficult and costly for them to attend the session in Vleifontein. We therefore urge the EAP to better familiarise itself with the demographic profile and settlement patterns of the affected CPAs to appreciate the logistical and participation challenges this creates. In addition, we wish to correct an assumption reflected in your communication — the dominant language spoken by the neighbouring CPA members is Setlokwa, a dialect of Northern Sotho, not Tshivenda. For meaningful engagement, it is essential that facilitation, translation, and communication materials reflect the actual linguistic context of the affected beneficiaries. Finally, our earlier request for a public meeting on the CPA farms — rather than an open day — was not simply about venue preference. The intent is to create a platform for robust, structured, and collective engagement where members can openly raise issues, deliberate together, and interact with the EAP, Applicant, and specialists in a transparent, inclusive manner. The open-day format, with its one-on-one interactions, is not sufficient to address the complexity of the concerns at hand, particularly around land ownership, socio-economic impact, and mitigation responsibilities.	**Access to Reports and Specialist Studies** • Digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters. • Should you experience any problems accessing the documents via these links, please inform us without delay so that we can assist you. • If you prefer another method of accessing the digital versions (e.g., SharePoint, WeTransfer, SMASH), we will provide these wherever reasonably possible. • Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road, Bandelierkop 2. Munzhedzi Post Office – Chris Hani Street, Vleifontein, Louis Trichardt 3. Vleifontein Municipal Office – Chris Hani Street, Vleifontein, Louis Trichardt • Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents should there be any challenges in accessing the digital platforms. **Venue for the Open Day** • The Vleifontein Community Hall was purposefully selected in conjunction with the local Ward Councillor for Ward 20, where the application sites fall. • This municipal community hall is a neutral public venue accessible to all stakeholders, including CPA members, other interest groups, and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
	In light of the above, we respectfully reiterate our request that a dedicated public meeting be arranged at the CPA farms, in addition to the planned open day, to ensure that all affected beneficiaries have a fair and meaningful opportunity to participate in the process.	the general public. The Councillor has confirmed that the facility is regularly used for similar community engagements. • The open day format is intended to allow stakeholders and registered Interested & Affected Parties to engage on a one-on-one basis with members of the project team. While we acknowledge that not all members may be able to attend, we are hopeful that CPA representatives will relay comments and concerns from beneficiaries and provide feedback through their internal communication channels. • Importantly, not attending the open day does not exclude stakeholders from participating meaningfully in the process, as multiple mechanisms remain available for input. **Request for Meeting at CPA Farms** • We note your request for a structured public meeting at the CPA farms. While we appreciate the intent, we remain mindful that hosting a public engagement session on private land may deter members of the public and other registered stakeholders from attending. To ensure transparency and neutrality, the Vleifontein Community Hall remains the most appropriate venue. **Additional Steps for Enhanced Inclusivity and Transparency** We would like to highlight several measures undertaken during this follow-up public participation period: 1. The DEIR has been updated and an additional 30-day comment period provided in line with the Regulations. 2. A background information document has been compiled and circulated in English and Tshivenda.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		3. Information Pamphlets have been compiled and made available at the open-day in English, Tshivenda and Sepedi. 4. Follow-up newspaper adverts have been placed in English and Tshivenda. 5. Additional site notices have been erected in English and Tshivenda. 6. Hard copies of reports have been made available at local venues for those without digital access. 7. A translator was present at the open day to assist Tshivenda-speaking as well as Sepedi-speaking individuals and to capture comments from those unable to submit in writing. 8. The EAP and Applicant was available at the open day to ensure direct engagement on issues such as land claims, socio-economic impacts, and mitigation responsibilities. We sincerely hope that this engagement will add value to the public participation process and provide a meaningful platform for dialogue.
06/11/2025 Via Email Comment received from Mr Shaun Taylor – Mainstream Renewable Energies	Thank you for the notification. Please advise where we can access the documents for review.	The links to the digital copies of the reports (Cape EAPrac Website or DropBox direct download) are in the notification letter. If you require an alternative means to access the Information, please let us know.
06/11/2025 Via Email	Thank you for your email and for sharing the notice regarding the availability of the Revised Draft Environmental Impact Reports	Dear Mr Matimolane

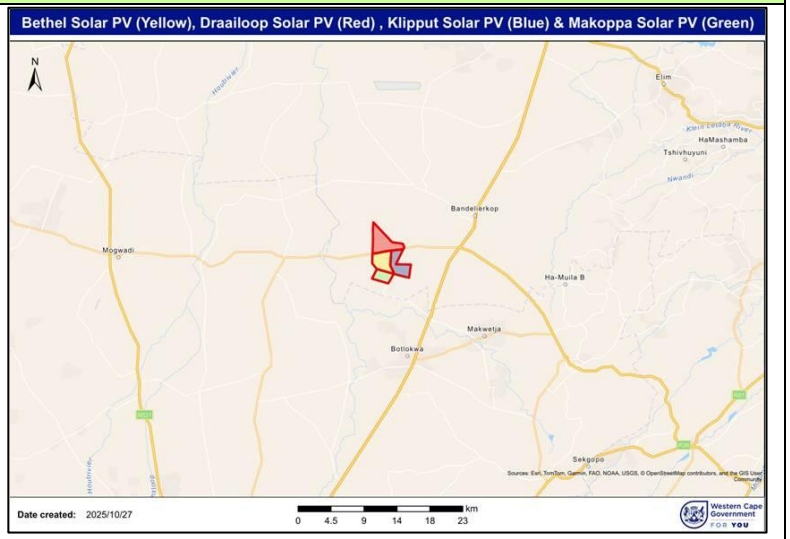
Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
Chatleka CPA Comment received from Messrs Motshewa Ntimo and was signed by Mr Motshewa Matimolane	and Environmental Management Programmes for the proposed Bethel, Draailoop, Klipput, and Makoppa Solar PV projects. Kindly forward copies of the revised reports and associated specialist studies to us for review. In addition, we would like to strongly recommend that Cape EAPrac consider arranging a dedicated public engagement meeting at our farms, rather than relying solely on the Public Open Day planned for Vleifontein. An invite should be extended to all other CPA's in the area including those neighbouring the affected farms. Our concern is that Vleifontein is quite far for most members of the Chatleka community, and as a result, many affected or interested landholders may not be able to attend. A local engagement session held at our farms would make it possible for members to participate more meaningfully — in a setting, language, and manner that allows for robust and accessible discussion about the proposed developments and their implications. We believe such a session would greatly enhance inclusivity, transparency, and the overall quality of stakeholder engagement. We look forward to your response and the sharing of the revised documentation.	Thank you so much for your email below, the content of which is duly noted. The digital copies of the revised reports and all associated specialist studies are available on the Cape EAPrac Website and via DropBox direct download at the links provided in the Notification Letters. Should you have any problems accessing the documents via these links please inform us without delay so that we can assist you otherwise. Should you prefer another method to access the digital versions of the reports (i.e. Sharepoint, WeTransfer, SMASH etc), please let me know and we will provide these wherever reasonably possible. Hard copies of the reports are available at: 1. Viva Bandelierkop – N1 Main Road Bandelierkop, and 2. Munzhedzi Post Office - Chris Hani Street, Vleifontein, Louis Trichardt. Members of your organisation/beneficiaries and other registered stakeholders are invited to review these documents in the event that there are any challenges in accessing the available digital platforms. With regards to your query about the venue for the upcoming open house, we can confirm that the Vleifontein Community Hall was purposefully selected for the upcoming stakeholder engagement opportunity in conjunction with the local Ward Councillor for Ward 20 in which the application sites fall. This municipal community hall is a public neutral venue that is accessible to all stakeholders, including members of any of the different CPAs, other interest groups as well as members of the general public. The Councillor assured us that the facility is often used for similar events where locals and community engagements take place.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The purpose of the open day event is to allow stakeholders and registered Interested & Affected Parties, such as yourselves, to engage on a one on one basis with members of the project team as a further opportunity to participate. We do acknowledge that that not all members of the different CPAs, other interest groups or registered stakeholders, will be able to attend this engagement session for various reasons. We are hopeful however that the continued involvement of the CPA representatives at such an event, will ultimately help to relay comments/concerns from your members/beneficiaries to us, as well for representatives to give feedback to their members/beneficiaries via their existing internal communication channels. It will be extremely beneficial and greatly appreciated if members of the CPA will avail themselves to attend this open day to engage with the EAP, Applicant and attending Specialist and we do hope that this opportunity for further engagement will add value to the outcome of the public participation process. It must be noted that should there be any members of the CPA, other registered I&APs or members of the General Public, not able to attend the open day engagement session, they will still be able to meaningfully participate in the process via any of the other mechanisms available. Not attending this upcoming event does not exclude stakeholders from giving input and/or engaging with us about this application. With regards to your generous offer of having the meeting at your farm, kindly note that we are mindful of the fact that having a public engagement session, on private land i.e. CPA farm, may deter members of the public and other registered stakeholders from attending. To ensure transparency it is therefore deemed best to have this session at a neutral venue such as the Vleifontein Community Hall. We'd also like to use this opportunity to highlight a number of additional steps that have been initiated in this follow-up public participation period to ensure

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		enhanced inclusivity, transparency, and improve on the overall quality of stakeholder engagement where previous shortfalls have been identified: The DEIR has been updated and an additional 30-Day comment period provided as per the Regulations. 1. Considering the CPAs previous submission, a background information document has been compiled and apart from English, it is also been translated into Tshivenda and circulated to registered I&APs. 2. We have placed follow-up newspaper adverts in English and Tshivenda. 3. We put up additional site notices in English and Tshivenda. 4. In addition to the electronic platforms used to make the DEIR available, provision has been made for hard copies of reports at a number of local venues for any stakeholder who may not have access to the various digital platforms. 5. Facilitation of the open house event, within the ward of the application area, at a venue that is accessible and neutral in support of the ongoing public consultation. 6. We have taken care to ensure that a translator (for Tshivenda speaking individuals who may attend the open house) will be present, also to assist with capturing comments/inputs from people who may not be able to make their own submissions in writing. 7. Considering the specific concerns previously raised by the CPA with regards to community engagement and more specifically the CPAs land claim, the EAP, Heritage Specialist, Social Specialist and Applicant will be available at the public open day to ensure direct

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		engagement with community members also and/or stakeholder who may be impacted/affected by the proposed activities. 8. We kindly request that the CPA informs its members/beneficiaries of the opportunity to engage with the project team members at the upcoming open day and we sincerely hope that such engagement will be of value. During the course of next week, we will share a document that outlines the structure of the open day engagement session and introduction to the project team members who will be present.
27/10/2025 Via Telephone Councillor Maxwell Malivha (Ward 20)	Telephonic discussion pertaining to the proposed public open day / information sharing session at the Vleifontein Community Hall.	Thank you very much for the call and for your assistance in this regard. As suggested, we will host the open day/information sharing session at the Vleifontein community hall as follows: **Venue:** Vleifontein Community Hall, Chris Hani Street, HA-TSHIKOTA-A, Louis Trichardt. **Date:** 25 November 2025 **Time:** 12:00 – 19:00 Thank you for confirming that you will book the community hall for this Open Day/ Info Sharing Session. If there are any costs to hire the Community Hall for this session, please let us know and we will cover these. The format of the open day is that we will have information posters and project information available. Members of the community can come in at any time during this period and ask questions and/or raise any concerns that they may have.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		The Social Specialist, Heritage Specialist, Project Developer and us will be available to answer any questions and capture any concerns from any community members. We would definitely like to have a few people available who can assist with Translation between English and Tshivenda so that any communications between members of the public and the specialists or developer can be effectively handled. Would you be able to assist in putting us into contact with members of the Local Community who can assist with translations during the course of the day. Thank you once again for your assistance thus far, and we will keep you updated with the project as we go along.
27/10/2025 Via Telephone Councillor Maxwell Malivha (Ward 20)	Telephonic discussion pertaining to the proposed public open day / information sharing session at the Vleifontein Community Hall.	Thank you very much for responding to my WhatsApp communication and confirming your email address. I look forward to being able to discuss the project with you when you have an opportunity to take my call. As mentioned via WhatsApp, Cape EAPrac in the process of facilitating an Environmental Assessment Process for a solar farm development in Ward 20 of the Makhado Municipality. The proposed project is near Bandelierkop as shown in the map below.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response[3]
		 As part of the stakeholder engagement process, we would like to host a public open day / information sharing session on Tuesday the 25th of November 2025 between 12:00 and 19:00. We are looking at various options for a venue for this open day / information sharing session, and it would seem that the Vleifontein Community Hall may be the best location for this open day. I would like to discuss whether this would be an acceptable venue, or whether you would prefer an alternative venue within your ward. I am looking forward to hearing from you.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
COMMENTS RECEIVED ON THE FINAL ENVIRONMENTAL IMPACT REPORT[14]		
24/10/2025 Via Email MTN	MTN has conduction an analysis of the project to its network and we advise that there is no related impact. Accordingly, we wish to inform you that your application has been approved.	Noted: No response Required
17/10/2025 Via Email South African Heritage Resources Agency (SAHRA) **Bethel Solar PV**	A number of burial grounds and graves were identified (Sites 009, 025, 037 and 038). These burials range from historic to recent and are all located outside of municipal cemeteries. Due to their high levels of local social and spiritual significance, burials have high levels of local cultural value and are graded IIIA. It is recommended that a no development buffer of 100m is implemented around such burials in order to retain their sense of place as well as to ensure that no associated unmarked human remains are accidentally impacted by development activities.	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	Site 009 falls within the proposed PV area. This site reflects a burial ground. It is recommended that this burial and its recommended buffer is excluded from the development footprint. Additionally, it is recommended that access to this burial is guaranteed for the duration of the life of the PV facility. It is recommended that the conservation of the burials be managed for the duration of the life of the PV facilities through the drafting of a Conservation Management Plan that is submitted to SAHRA for approval	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

[14] Please note that these comments were after the submission of the Final EIR's to the competent authority (in response to the EAP notifying I&AP's of the Final EIR submissions. The Final EIR was subsequently withdrawn and Revised Draft Environmental Impact Reports were prepared and additional stakeholder engagement is currently underway.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will also address the management of access to the identified burial / grave sites.
	The field assessment identified rock art and Iron age resources within the development area. These observations include rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044, graded IIIA, 50m buffer recommended) as well as scatters of Iron Age pottery shards (Sites 012 and 016, Graded IIIC, 20m buffer recommended). The field assessment also identified one historic stone-walled kraal (Site 041). This site has been graded IIIB and a 100m buffer is recommended. These significant archaeological observations are indicative of the potential for additional associated buried archaeology located in close proximity to these	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	sites. Due to their scientific value, these sites may not be negatively impacted by the proposed development and appropriate no development buffers for these sites are recommended in the table 2.	
	The Visual SSVR determines that the Scenic Quality of the development area is rated as Medium to High. The undulating bushveld landscape does have value due to its extensive coverage without development or transformation by agriculture or human settlement. The terrain is primarily gently undulating, with a small ridgeline in the northern areas and a rocky outcrop in the southern portion of the property. The landscape maintains its value largely because it remains undeveloped by agriculture or settlements. Aside from the Eskom OHPL corridor, which shows some signs of landscape degradation, structural developments are characterized as rural, agricultural, or game farm-related, and are non-imposing. The Visual SSVR concludes that the majority of the property is suitable for PV development and with the incorporation of the recommended setbacks and No-Go areas, would not result in degradation of significant landscape / visual resources. As such, the project is not defined as a Fatal Flaw. The visual impacts of the proposed development are more thoroughly assessed in the VIA	Duly noted. No response required.
	According to the SAHRIS Palaeosensitivity Map the development sites are underlain by sediments of very LOW fossil sensitivity. The proposed development is underlain with Matok Granite (Coarse-grained, porphyritic, pink and grey biotite granite, in places hornblende granite), and Goudplaats-Hout River Gneiss (Leucocratic, strongly migmatised biotite gneiss and greyish, weakly migmatised biotite gneiss; minor leucogneiss and dark grey biotite gneiss). Both these formations have Insignificant or Zero Palaeontological sensitivity. The third formation that is present in the study area is the	Duly noted. No response required.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Bandelierkop Formation Predominantly volcanic igneous rocks, plus some igneous intrusions, minor sediments such as banded iron formation, chert, quartzite, conglomerate, and schists) which has Low Palaeontological Sensitivity. It is unlikely that the proposed development will have a significant impact on palaeontological resources and no further assessments are required.	
	Recommendations:	
	The mitigation measures outlined in Table 2 above are implemented. This is adhered to in the layout provided	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The granite koppies within the development area are considered to be sensitive and are excluded from the development footprint. This is adhered to in the layout provided.	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A Conservation Management Plan is drafted for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		and CMP must be initiated only if Environmental Authorisation is granted for the project." This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	Although all possible care has been taken to identify sites of cultural importance during the investigation of the study area, it is always possible that hidden or subsurface sites could be overlooked during the assessment. If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils, burials or other categories of heritage resources are found during the proposed development, work must cease in the vicinity of the find and SAHRA must be alerted immediately to determine an appropriate way forward.	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "All work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area."
	Final Comment: The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr: 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development. 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Further additional conditions include the following:	
	A no development buffer of 100m is implemented around burial grounds and graves (Sites 009, 025, 037 and 038). If it is not possible to avoid the burial sites, a stakeholder engagement process must be undertaken in terms of section 36 of the NHRA and Chapter XI of the NHRA 2000 Regulations, to obtain permission to fence or relocate the graves;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Should relocation of the graves be found feasible an archaeologist must be appointed to apply to SAHRA for a section 36 permit application in terms of chapter IX of the NHRA 2000 Regulations for the relocation of graves older than 60 years;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented. Should any additional graves / burial grounds be discovered during the pre-construction walkdown by the Heritage Practitioner or during construction activities all work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area.
	A Conservation Management Plan will have to be drafted and implemented as part of the Development, and submitted to SAHRA for approval.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project." This Conservation Management Plan will also address the management of access to the identified burial / grave sites.
	A 50m buffer around the rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044) must be implemented. If it is not possible to avoid the rock shelters a mitigation permit must be applied for from SAHRA.	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A 50m buffer around the scatters of Iron Age pottery shards (Sites 012 and 016) must be implemented. If it is not possible to avoid the scatters of Iron Age pottery shards, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A 100m buffer around the historic stone-walled kraal (Site 041) must be implemented. If it is not possible to avoid the historical stone-walled kraal, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development,	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	*artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)d – See section 51(1) of the NHRA;	Duly noted.
	38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;	*palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA*."
	As the Draft EIA has been finalised without the inclusion of SAHRA comments, this comment must be forwarded directly to the competent authority for their review as part of the decision making process in terms of section 38(8) of the NHRA. Proof of the delivery and receipt thereof must be provided to SAHRA;	Duly noted. These comment from SARHA are included in this Comments and Responses Report which is attached to the Final Environmental Impact Report as Appendix F2. The Final Environmental Impact Report with appendices are to be submitted to the competent authority (Department of Forestry, Fisheries and the Environment) which will also be uploaded in the SAHRIS system.
	The decision regarding the EA Application must be communicated to SAHRA and uploaded to the case file.	Duly noted. No response required.
	The Final EIA and EMPr must be submitted to SAHRA for record purposes;	Duly noted. No response required.
17/10/2025 Via Email South African Heritage Resources Agency (SAHRA) **Draailoop Solar PV**	A number of burial grounds and graves were identified (Sites 009, 025, 037 and 038). These burials range from historic to recent and are all located outside of municipal cemeteries. Due to their high levels of local social and spiritual significance, burials have high levels of local cultural value and are graded IIIA. It is recommended that a no development buffer of 100m is implemented around such burials in order to retain their sense of place as well as to ensure that no associated unmarked human remains are accidentally impacted by development activities.	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	Site 025 falls within the proposed PV area. This site reflects a burial ground. It is recommended that this burial and its recommended buffer is excluded from the development footprint. Additionally, it is recommended that access to this burial is guaranteed for the duration of the life of the PV facility. It is recommended that the conservation of the burials be managed for the duration	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	of the life of the PV facilities through the drafting of a Conservation Management Plan that is submitted to SAHRA for approval	attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	The field assessment identified rock art and Iron age resources within the development area. These observations include rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044, graded IIIA, 50m buffer recommended) as well as scatters of Iron Age pottery shards (Sites 012 and 016, Graded IIIC, 20m buffer recommended). The field assessment also	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	identified one historic stone-walled kraal (Site 041). This site has been graded IIIB and a 100m buffer is recommended. These significant archaeological observations are indicative of the potential for additional associated buried archaeology located in close proximity to these sites. Due to their scientific value, these sites may not be negatively impacted by the proposed development and appropriate no development buffers for these sites are recommended in the table 2.	
	The Visual SSVR determines that the Scenic Quality of the development area is rated as Medium to High. The undulating bushveld landscape does have value due to its extensive coverage without development or transformation by agriculture or human settlement. The terrain is primarily gently undulating, with a small ridgeline in the northern areas and a rocky outcrop in the southern portion of the property. The landscape maintains its value largely because it remains undeveloped by agriculture or settlements. Aside from the Eskom OHPL corridor, which shows some signs of landscape degradation, structural developments are characterized as rural, agricultural, or game farm-related, and are non-imposing. The Visual SSVR concludes that the majority of the property is suitable for PV development and with the incorporation of the recommended setbacks and No-Go areas, would not result in degradation of significant landscape / visual resources. As such, the project is not defined as a Fatal Flaw. The visual impacts of the proposed development are more thoroughly assessed in the VIA	Duly noted. No response required.
	According to the SAHRIS Palaeosensitivity Map the development sites are underlain by sediments of very LOW fossil sensitivity. The proposed development is underlain with Matok Granite (Coarse-grained, porphyritic, pink and grey biotite granite, in places hornblende granite), and Goudplaats-Hout	Duly noted. No response required.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	River Gneiss (Leucocratic, strongly migmatised biotite gneiss and greyish, weakly migmatised biotite gneiss; minor leucogneiss and dark grey biotite gneiss). Both these formations have Insignificant or Zero Palaeontological sensitivity. The third formation that is present in the study area is the Bandelierkop Formation Predominantly volcanic igneous rocks, plus some igneous intrusions, minor sediments such as banded iron formation, chert, quartzite, conglomerate, and schists) which has Low Palaeontological Sensitivity. It is unlikely that the proposed development will have a significant impact on palaeontological resources and no further assessments are required.	
	Recommendation:	
	The mitigation measures outlined in Table 1 above are implemented. This is adhered to in the layout provided	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The granite koppies within the development area are considered to be sensitive and are excluded from the development footprint. This is adhered to in the layout provided.	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A Conservation Management Plan is drafted for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project." This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	Although all possible care has been taken to identify sites of cultural importance during the investigation of the study area, it is always possible that hidden or subsurface sites could be overlooked during the assessment. If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils, burials or other categories of heritage resources are found during the proposed development, work must cease in the vicinity of the find and SAHRA must be alerted immediately to determine an appropriate way forward.	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*All work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area*."
	Final Comment: The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr: 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development. 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Further additional conditions include the following:	
	A no development buffer of 100m is implemented around burial grounds and graves (Sites 009, 025, 037 and 038). If it is not possible to avoid the burial sites, a stakeholder engagement process must be undertaken in terms of section 36 of the NHRA and Chapter XI of the NHRA 2000 Regulations, to obtain permission to fence or relocate the graves;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Should relocation of the graves be found feasible an archaeologist must be appointed to apply to SAHRA for a section 36 permit application in terms of chapter IX of the NHRA 2000 Regulations for the relocation of graves older than 60 years;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented. Should any additional graves / burial grounds be discovered during the pre-construction walkdown by the Heritage Practitioner or during construction activities all work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area.
	A Conservation Management Plan will have to be drafted and implemented as part of the Development, and submitted to SAHRA for approval.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project." This Conservation Management Plan will also address the management of access to the identified burial / grave sites.
	A 50m buffer around the rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044) must be implemented. If it is not possible to avoid the rock shelters a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented
	A 50m buffer around the scatters of Iron Age pottery shards (Sites 012 and 016) must be implemented. If it is not possible to avoid the scatters of Iron Age pottery shards, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented
	A 100m buffer around the historic stone-walled kraal (Site 041) must be implemented. If it is not possible to avoid the historical stone-walled kraal, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented
	38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development,	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	*artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)d – See section 51(1) of the NHRA;	Duly noted.
	38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;	*palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA*."
	As the Draft EIA has been finalised without the inclusion of SAHRA comments, this comment must be forwarded directly to the competent authority for their review as part of the decision making process in terms of section 38(8) of the NHRA. Proof of the delivery and receipt thereof must be provided to SAHRA;	Duly noted. These comment from SARHA are included in this Comments and Responses Report which is attached to the Final Environmental Impact Report as Appendix F2. The Final Environmental Impact Report with appendices are to be submitted to the competent authority (Department of Forestry, Fisheries and the Environment) which will also be uploaded in the SAHRIS system.
	The decision regarding the EA Application must be communicated to SAHRA and uploaded to the case file.	Duly noted. No response required.
	The Final EIA and EMPr must be submitted to SAHRA for record purposes;	Duly noted. No response required.
17/10/2025 Via Email South African Heritage Resources Agency (SAHRA) **Klipput Solar PV**	A number of burial grounds and graves were identified (Sites 009, 025, 037 and 038). These burials range from historic to recent and are all located outside of municipal cemeteries. Due to their high levels of local social and spiritual significance, burials have high levels of local cultural value and are graded IIIA. It is recommended that a no development buffer of 100m is implemented around such burials in order to retain their sense of place as well as to ensure that no associated unmarked human remains are accidentally impacted by development activities.	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	No heritage resources are located within the area proposed for the PV facility.	A Communal Property Association (CPA) has identified burials and spaces within the area proposed for development as associated with their living heritage. In lieu of specific location information from the CPA, additional research was undertaken to identify places that have or may have cultural heritage value. An additional site visit was also undertaken to ground-truth the identified sites. The

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		results of this analysis are included in the updated Heritage Impact Assessment attached to the Final Environmental Impact Report as Appendix E4. All burials, graves, rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The field assessment identified rock art and Iron age resources within the development area. These observations include rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044, graded IIIA, 50m buffer recommended) as well as scatters of Iron Age pottery shards (Sites 012 and 016, Graded IIIC, 20m buffer recommended). The field assessment also identified one historic stone-walled kraal (Site 041). This site has been graded IIIB and a 100m buffer is recommended. These significant archaeological observations are indicative of the potential for additional associated buried archaeology located in close proximity to these sites. Due to their scientific value, these sites may not be negatively impacted by the proposed development and appropriate no development buffers for these sites are recommended in the table 2.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The Visual SSVR determines that the Scenic Quality of the development area is rated as Medium to High. The undulating bushveld landscape does have value due to its extensive coverage without development or transformation by agriculture or human settlement. The terrain is primarily gently undulating, with a small ridgeline in the northern areas and a rocky outcrop in the southern	Duly noted. No response required.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	portion of the property. The landscape maintains its value largely because it remains undeveloped by agriculture or settlements. Aside from the Eskom OHPL corridor, which shows some signs of landscape degradation, structural developments are characterized as rural, agricultural, or game farm-related, and are non-imposing. The Visual SSVR concludes that the majority of the property is suitable for PV development and with the incorporation of the recommended setbacks and No-Go areas, would not result in degradation of significant landscape / visual resources. As such, the project is not defined as a Fatal Flaw. The visual impacts of the proposed development are more thoroughly assessed in the VIA	
	According to the SAHRIS Palaeosensitivity Map the development sites are underlain by sediments of very LOW fossil sensitivity. The proposed development is underlain with Matok Granite (Coarse-grained, porphyritic, pink and grey biotite granite, in places hornblende granite), and Goudplaats-Hout River Gneiss (Leucocratic, strongly migmatised biotite gneiss and greyish, weakly migmatised biotite gneiss; minor leucogneiss and dark grey biotite gneiss). Both these formations have Insignificant or Zero Palaeontological sensitivity. The third formation that is present in the study area is the Bandelierkop Formation Predominantly volcanic igneous rocks, plus some igneous intrusions, minor sediments such as banded iron formation, chert, quartzite, conglomerate, and schists) which has Low Palaeontological Sensitivity. It is unlikely that the proposed development will have a significant impact on palaeontological resources and no further assessments are required.	Duly noted. No response required.
	Recommendations:	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The mitigation measures outlined in Table 2 above are implemented. This is adhered to in the layout provided	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The granite koppies within the development area are considered to be sensitive and are excluded from the development footprint. This is adhered to in the layout provided.	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A Conservation Management Plan is drafted for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	Although all possible care has been taken to identify sites of cultural importance during the investigation of the study area, it is always possible that hidden or subsurface sites could be overlooked during the assessment. If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments,	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*All work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum,*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	charcoal and ash concentrations), fossils, burials or other categories of heritage resources are found during the proposed development, work must cease in the vicinity of the find and SAHRA must be alerted immediately to determine an appropriate way forward.	*archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area*."
	Final Comment: The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr: 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development. 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Further additional conditions include the following:	
	A no development buffer of 100m is implemented around burial grounds and graves (Sites 009, 025, 037 and 038). If it is not possible to avoid the burial sites, a stakeholder engagement process must be undertaken in terms of section 36 of the NHRA and Chapter XI of the NHRA 2000 Regulations, to obtain permission to fence or relocate the graves;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	Should relocation of the graves be found feasible an archaeologist must be appointed to apply to SAHRA for a section 36 permit application in terms of chapter IX of the NHRA 2000 Regulations for the relocation of graves older than 60 years;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented. Should any additional graves / burial grounds be discovered during the pre-construction walkdown by the Heritage Practitioner or during construction activities all work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area.
	A Conservation Management Plan will have to be drafted and implemented as part of the Development, and submitted to SAHRA for approval.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will also address the management of access to the identified burial / grave sites.
	A 50m buffer around the rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044) must be implemented. If it is not possible to avoid the rock shelters a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	A 50m buffer around the scatters of Iron Age pottery shards (Sites 012 and 016) must be implemented. If it is not possible to avoid the scatters of Iron Age pottery shards, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A 100m buffer around the historic stone-walled kraal (Site 041) must be implemented. If it is not possible to avoid the historical stone-walled kraal, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule.*"
	38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this section of the	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	*artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)d – See section 51(1) of the NHRA;	Duly noted.
	38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA*."
	As the Draft EIA has been finalised without the inclusion of SAHRA comments, this comment must be forwarded directly to the competent authority for their review as part of the decision making process in terms of section 38(8) of the NHRA. Proof of the delivery and receipt thereof must be provided to SAHRA;	Duly noted. These comment from SARHA are included in this Comments and Responses Report which is attached to the Final Environmental Impact Report as Appendix F2. The Final Environmental Impact Report with appendices are to be submitted to the competent authority (Department of Forestry, Fisheries and the Environment) which will also be uploaded in the SAHRIS system.
	The decision regarding the EA Application must be communicated to SAHRA and uploaded to the case file.	Duly noted. No response required.
	The Final EIA and EMPr must be submitted to SAHRA for record purposes;	Duly noted. No response required.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
17/10/2025 Via Email South African Heritage Resources Agency (SAHRA) **Makoppa Solar PV**	A number of burial grounds and graves were identified (Sites 009, 025, 037 and 038). These burials range from historic to recent and are all located outside of municipal cemeteries. Due to their high levels of local social and spiritual significance, burials have high levels of local cultural value and are graded IIIA. It is recommended that a no development buffer of 100m is implemented around such burials in order to retain their sense of place as well as to ensure that no associated unmarked human remains are accidentally impacted by development activities.	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	Sites 011 and 012 fall within the proposed PV area. These archaeological observations include rock shelters with associated buried archaeological deposit and rock art (Site 011, graded IIIA) as well as scatters of Iron Age pottery shards (Sites 012, Graded IIIC). These significant archaeological observations are indicative of the potential for additional associated buried archaeology located in close proximity to these sites. Due to their scientific value, these sites may not be negatively impacted by the proposed development and appropriate no development buffers for these sites are recommended in the table above.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	It is recommended that the conservation of the archaeological sites be managed for the duration of the life of the PV facilities through the drafting of a Conservation Management Plan that is submitted to SAHRA for approval	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project." This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	The field assessment identified rock art and Iron age resources within the development area. These observations include rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044, graded IIIA, 50m buffer recommended) as well as scatters of Iron Age pottery shards (Sites 012 and 016, Graded IIIC, 20m buffer recommended). The field assessment also identified one historic stone-walled kraal (Site 041). This site has been graded IIIB and a 100m buffer is recommended. These significant archaeological observations are indicative of the potential for additional associated buried archaeology located in close proximity to these sites. Due to their scientific value, these sites may not be negatively impacted by the proposed development and appropriate no development buffers for these sites are recommended in the table 2.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The Visual SSVR determines that the Scenic Quality of the development area is rated as Medium to High. The undulating bushveld landscape does have value due to its extensive coverage without development or transformation by agriculture or human settlement. The terrain is primarily gently undulating, with a small ridgeline in the northern areas and a rocky outcrop in the southern portion of the property. The landscape maintains its value largely because it remains undeveloped by agriculture or settlements. Aside from the Eskom	Duly noted. No response required.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	OHPL corridor, which shows some signs of landscape degradation, structural developments are characterized as rural, agricultural, or game farm-related, and are non-imposing. The Visual SSVR concludes that the majority of the property is suitable for PV development and with the incorporation of the recommended setbacks and No-Go areas, would not result in degradation of significant landscape / visual resources. As such, the project is not defined as a Fatal Flaw. The visual impacts of the proposed development are more thoroughly assessed in the VIA	
	According to the SAHRIS Palaeosensitivity Map the development sites are underlain by sediments of very LOW fossil sensitivity. The proposed development is underlain with Matok Granite (Coarse-grained, porphyritic, pink and grey biotite granite, in places hornblende granite), and Goudplaats-Hout River Gneiss (Leucocratic, strongly migmatised biotite gneiss and greyish, weakly migmatised biotite gneiss; minor leucogneiss and dark grey biotite gneiss). Both these formations have Insignificant or Zero Palaeontological sensitivity. The third formation that is present in the study area is the Bandelierkop Formation Predominantly volcanic igneous rocks, plus some igneous intrusions, minor sediments such as banded iron formation, chert, quartzite, conglomerate, and schists) which has Low Palaeontological Sensitivity. It is unlikely that the proposed development will have a significant impact on palaeontological resources and no further assessments are required	Duly noted. No response required.
	<u>Recommendations:</u>	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The mitigation measures outlined in Table 2 above are implemented. This is adhered to in the layout provided	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	The granite koppies within the development area are considered to be sensitive and are excluded from the development footprint. This is adhered to in the layout provided.	Duly noted. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A Conservation Management Plan is drafted for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will address the management of access to the identified burial / grave sites.
	Although all possible care has been taken to identify sites of cultural importance during the investigation of the study area, it is always possible that hidden or subsurface sites could be overlooked during the assessment. If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments,	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*All work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum,*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	charcoal and ash concentrations), fossils, burials or other categories of heritage resources are found during the proposed development, work must cease in the vicinity of the find and SAHRA must be alerted immediately to determine an appropriate way forward.	*archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area*."
	Final Comment: The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr: 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development. 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Further additional conditions include the following:	
	A no development buffer of 100m is implemented around burial grounds and graves (Sites 009, 025, 037 and 038). If it is not possible to avoid the burial sites, a stakeholder engagement process must be undertaken in terms of section 36 of the NHRA and Chapter XI of the NHRA 2000 Regulations, to obtain permission to fence or relocate the graves;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	Should relocation of the graves be found feasible an archaeologist must be appointed to apply to SAHRA for a section 36 permit application in terms of chapter IX of the NHRA 2000 Regulations for the relocation of graves older than 60 years;	Duly noted. All burial grounds and graves identified on the proposed development site have been excluded from the development footprint with the recommended 100m No-Go buffer area. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented. Should any additional graves / burial grounds be discovered during the pre-construction walkdown by the Heritage Practitioner or during construction activities all work in a specific area must cease immediately, if any human remains and/or other archaeological, palaeontological and historical material are uncovered. Such material, if exposed, must be reported to the nearest museum, archaeologist/ palaeontologist and the South African Heritage Resource Agency (SAHRA) (or the South African Police Services), so that a systematic and professional

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		investigation can be undertaken. Sufficient time must be allowed to remove/collect such material before development recommences in that area.
	A Conservation Management Plan will have to be drafted and implemented as part of the Development, and submitted to SAHRA for approval.	The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: *"A walkdown of the final footprint must be undertaken by a Heritage Practitioner prior to commencement of construction. Should any additional heritage features be identified in this walkdown, the relevant heritage authority must be contacted immediately to determine the way forward.* *The property owner and developer must sign a Heritage Agreement with a Conservation Management Plan (CMP) for the ongoing conservation of the significant archaeological sites and burials identified within the area proposed for development. The CMP for the identified features must be endorsed by SAHRA before the CMP is drafted and a Heritage Agreement is signed. The Heritage Agreement and CMP are legally binding documents related to the approval of the development. As such, the process for the heritage agreement and CMP must be initiated only if Environmental Authorisation is granted for the project."* This Conservation Management Plan will also address the management of access to the identified burial / grave sites.
	A 50m buffer around the rock shelters with associated buried archaeological deposit and rock art (Site 011 and 044) must be implemented. If it is not possible to avoid the rock shelters a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	A 50m buffer around the scatters of Iron Age pottery shards (Sites 012 and 016) must be implemented. If it is not possible to avoid the scatters of Iron Age pottery shards, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	A 100m buffer around the historic stone-walled kraal (Site 041) must be implemented. If it is not possible to avoid the historical stone-walled kraal, a mitigation permit must be applied for from SAHRA.	Duly noted. All rock art and archaeological features identified on the proposed development site have been excluded from the development footprint with the recommended 100m, 50m and 20m No-Go buffer areas respectively. Please also refer to Appendix D1 attached to the Final Environmental Impact Report for the Site Layout Plans inclusive of the recommended buffer areas implemented.
	38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule.*"
	38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this section of the	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If any evidence of unmarked human burials, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;	*artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA DAU (Nokusho Ngobeni/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule."*
	38(4)d – See section 51(1) of the NHRA;	Duly noted.
	38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;	Duly noted. The Environmental Management Programme attached to the Final Environmental Impact Report as Appendix I, includes the following: "*If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA*."
	As the Draft EIA has been finalised without the inclusion of SAHRA comments, this comment must be forwarded directly to the competent authority for their review as part of the decision making process in terms of section 38(8) of the NHRA. Proof of the delivery and receipt thereof must be provided to SAHRA;	Duly noted. These comment from SARHA are included in this Comments and Responses Report which is attached to the Final Environmental Impact Report as Appendix F2. The Final Environmental Impact Report with appendices are to be submitted to the competent authority (Department of Forestry, Fisheries and the Environment) which will also be uploaded in the SAHRIS system.
	The decision regarding the EA Application must be communicated to SAHRA and uploaded to the case file.	Duly noted. No response required.
	The Final EIA and EMPr must be submitted to SAHRA for record purposes;	Duly noted. No response required.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>08/10 2025
Via Email
Telkom</td><td>Acknowledged receipt of email .</td><td>Noted: No Response required.</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>09 October 2025
Via email
Chatleka CPA

Comment received from Messrs Motshewa Ntimo and was signed by Mr N.A. Maphala (Acting Chairperson, Chatleka Communal Property Association)</td><td>1. Acknowledgement of Correspondence
1.1 The Chatleka Communal Property Association (hereinafter referred to as “the CPA”) hereby acknowledges receipt of your correspondence and accompanying links to the Final Environmental Impact Assessment (EIA) Reports and Environmental Management Programmes (EMPRs) for the above-mentioned proposed developments.
1.2 The CPA also notes the summary of engagement outlined in your correspondence between Cape EAPrac, yourself, and our members in their capacity as Interested and Affected Parties (I&APs).</td><td>1.2 For the benefit of the competent authority, it is necessary to provide a summary of engagements between various representatives of the CPA and Cape EAPrac (the Environmental Assessment Practitioner) as part of the Environmental Process for the aforementioned projects to date.
<table>
<tr><th>Date</th><th>Via</th><th>From</th><th>Summary</th></tr>
<tr><td>15 March 2025</td><td>Website</td><td>Mr Motshewa Matimolane</td><td>Registered as an I&AP via the Cape EAPrac Website.</td></tr>
<tr><td>22 April 2025</td><td>email</td><td>Mr Francois Byleveld (Cape EAPrac)</td><td>Cape EAPrac confirmed registration request from Mr Matimolane (Annexure 1).</td></tr>
<tr><td>24 April 2025</td><td>email</td><td>Mr Dale Holder (Cape EAPrac)</td><td>All I&AP’s including Mr Matimolane notified of availability of Draft Scoping Reports for review and comment.</td></tr>
<tr><td>02 May 2025</td><td>email</td><td>Mr Motshewa Matimolane on behalf of the Chatleka CPA extended EXCO.</td><td>Mr Matimolane confirmed that he had downloaded Report for Draailoop PV, Klipput PV and Makoppa PV but was unable to download the Report for Bethel PV. Furthermore requested that the Chatleka CPA and parties in copy be registered as I&AP’s.</td></tr>
</table></td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response			
				Numerous other parties were in copy.	
		07 May 2025	Database	Mr Francois Byleveld (Cape EAPrac)	Cape EAPrac registered the Chatleka CPA and all parties in copy in annexure 4 as I&AP's.
		03 May 2025	email	Mr Motshewa Matimolane in his personal capacity and on behalf of the Chatleka CPA extended EXCO. Mr Simon Ramahlare was in copy.	Mr Matimolane on Behalf of the CPA extended Exco provided formal comment on the Draft Scoping Report for Draailoop PV.
		03 May 2025	email	Mr Motshewa Matimolane. Mr Simon Ramahlare was in copy.	Mr Matimolane confirmed that the comment submitted on Draailoop PV is applicable to all 4 Projects (i.e. Bethel PV, Draailoop PV, Klipput PV and Makoppa PV).
		05 May 2025	email	Dale Holder (Cape EAPrac)	Cape EAPrac acknowledged receipt of the comment (Annexure 5) and the confirmation that it applies to all projects (Annexure 6).
		05 May 2025	email	Dale Holder Cape EAPrac	Cape EAPrac provided Mr Matimolane and all parties in copy in annexure 4 with copy of Draft Scoping Report, Layout Plan Social Scoping Report for Bethel PV.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response			
		05 May 2025	website	Mr Makgetsi Matimolane on behalf of Chatleka CPA.	Registered as an Interested and Affected Party as part of the Chatleka CPA. This registration was in respect of Draailoop Solar only.
		05 May 2025	website	Mr Matome Malefo	Mr Malefo confirmed that he is opposed to the project on the Chatleka CPA farms. *NOTE – None of the projects are proposed on properties owned by the Chatleka CPA.
		06 May 2025	email	Ms Sylvia Ndaka with various other parties in copy.	Ms Ndaka thanked Cape EAPrac for the information provided (Annexure 8).
		06 May 2025	email	Mr Motshewa Matimolane with various parties in copy.	Mr Matimolane requested copies of landowner consents as attached in Appendix G2 of the Draft Scoping Reports.
		06 May 2025	email	Dale Holder (Cape EAPrac)	Mr Dale Holder provided Mr Matimolane with copies of all landowner consents.
		06 May 2025	website	Messrs Motz Ntimo	Messrs Ntimo Provided comment on the Draft Scoping Report. In summary. Messrs Ntimo objected to the development, largely based on land claims lodged or in the process of being lodged on the affected properties.
		06 May 2025	email	Mr Dale Holder (Cape EAPrac)	Mr Dale Holder acknowledged receipt of the comment from Messrs Ntimo (Annexure 14) and confirmed that the concerns would be discussed with the project developer and the Social Specialist.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response			
		07 May 2025	email	Mr Francois Byleveld (Cape EAPrac)	Confirmed Mr Matimolane's website registration (Annexure 9).
		09 May 2025	email	Mr Siboniso Khumalo	Mr Khumalo confirmed that he represents a renewable energy developer in Polokwane and that they have a long term lease from the Chatleka CPA to develop similar developments on Farm 429 and Farm 435. *NOTE – These are not portions affected by the current applications.
		22 June 2025	email	Mr Motshewa Matimolane with various parties in copy.	Mr Matiomolane addressed an email to the Social Specialist requesting a comprehensive and substantive response to all the issues raised in the letter. The Social Specialist provided this request to the EAP.
		30 June 2025	email	Mr Tony Barbour (Social Specialist)	The Social Specialist responded to Mr Matimolane thanking him for the comments submitted to on the Social Scoping Report (Annexure 5). The social specialist reiterated that the SIA Report will acknowledge the land claim on Draailoop 430 LS by the Chatleka CPA and other project related land claims. The social specialist furthermore confirmed that the SIA Report will also identify potential opportunities for local communities associated with the construction and operation of the proposed solar projects. The social specialist reiterated that the land claim process is separate to the EIA process and that while the EIA and SIA will clearly acknowledge the current land claims, it falls outside the scope of the EIA and SIA

Date of Comment, format of comment, name of organization/I&AP	Comment	Response			
					to assess and or comment on the land claims.
		13 August 2025	email	Messrs Ngoako Maphala	Objection to proposed Draailoop PV. Messrs Maphala confirmed that the affected land was currently "being claimed".
		22 August 2025	email	Mr Francois Byleveld (Cape EAPrac)	All I&APs, including all parties registered for the Chatleka CPA were notified of the Availability of the Draft Environmental Impact Reports for review and comment for a 30 Day period. These Draft Environmental Impact Reports included the comprehensive responses to all of the comments listed above.
		06 October 2025		Mr Dale Holder (Cape EAPrac)	Submitted Final Environmental Impact Reports to the competent authority for consideration and decision making.
		06 October 2025	email	Mr Francois Byleveld (Cape EAPrac)	Notified all I&AP's, including all parties registered for the Chatleka CPA, that the Final Environmental Impact Reports have been submitted to the Competent Authority for consideration and decision making.
		07 October 2025	email	Mr Mothewa Matimolane with other parties in copy.	Requested copies of the Final EIR and comments and responses report. Mr Matimolane furthermore confirmed that he had not been invited to a public meeting to ventilate issues.
		08 October 2025	email	Dale Holder (Cape EAPrac)	Provided Mr Matimolane with links to Final EIR's and Final EMPr's for all projects. Mr Holder furthermore summarised all key correspondence with the CPA and confirmed that no comment

Date of Comment, format of comment, name of organization/I&AP	Comment	Response			
					was received from the CPA on the Draft EIR.
		09 October 2025	email	Messrs Motz Ntimo. *NOTE, the email was received from Messrs Motz Ntimo, but listed Mr Motshewa Matimolanas as member of the Chatleka CPA Extended exco as the author.	Messrs Ntimo provided a comment relating to purposed procedural deficiencies in the environmental process. For the first time since the inception of the environmental process, this comment noted the expectation of in-person consultation. This comment furthermore highlighted the cultural, spiritual and historical importance of the land to the Chatleka CPA.
		09 October 2025	email	Mr Motshewa Matimolane	Mr Matimolane requested contact details of the case officers handling the application.
		09 October 2025	email	Mr Richard Malefo with various parties in copy.	Noted that EAP should inform the CPA community regarding any activities on Farms owned by the CPA. *NOTE: None of the activities are proposed on properties owned by the Chatleka CPA.
		09 October 2025	email	Motshewa Matimolane on behalf of Mr N.A. Maphala (Acting Chairperson: Chatleka Communal Property Association)	Mr Matimolane provided a formal response to the Final EIR's and EMPR's (i.e. the response that is the subject of this letter.)

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>09 October 2025</td><td>email</td><td>Messrs Motz Ntimo</td><td>Messrs Ntimo provided the EAP with a copy of the submission of the comment to DFFE. This was the same comment as per Annexure 28.</td></tr>
<tr><td>09 October 2025</td><td>email</td><td>Mr Dale Holder (Cape EAPrac)</td><td>Acknowledged receipt of the comment that was submitted to DFFE (Annexure 29)</td></tr>
<tr><td>09 October 2025</td><td>email</td><td>Messrs Motz Ntimo with various parties in copy</td><td>Messrss Ntimo thanked Cape EAPrac for the acknowledgement and stated that the CPA is awaiting the formal feedback.</td></tr>
<tr><td>10 October 2025</td><td>email</td><td>Mr Motshewa Matimolane</td><td>Mr Matimolane advised that he was struggling to download the Final EIR via the links provided by Cape EAPrac (Annexure 24). Mr Matimolane requested that the documentation be provided via SharePoint as an alternative.
*NOTE – This request for an alternative means to access the Final EIR was submitted after the CPA had already provided a Comment on the Final EIR.</td></tr>
<tr><td>10 October 2025</td><td>email</td><td>Mr Dale Holder (Cape EAPrac)</td><td>Provided Mr Matimolane with a SharePoint link to the Final EIR's and Final EMPr's</td></tr>
</table>
The blue highlights in the table represent the following key engagements:
1. Request by the EAP for the CPA to provide comment on the Draft Scoping Report.
2. Request by the EAP for the CPA to provide comment on the Draft Environmental Impact Report
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		3. Notification to the CPA, that the Final Environmental Impact Report has been submitted to the Competent Authority for Decision Making. It is noteworthy that the CPA did not engage any further, nor provide any comments on the Draft Environmental Impact Reports where all their concerns raised during the scoping phase were addressed and responded to. The yellow highlights in the table above indicate comments received and engagement that occurred after the submission of the Final Environmental Impact Reports for consideration and Decision Making. Please note that all the correspondence from the CPA was received digitally (either via email or via the Cape EAPrac website) and all correspondence was received in English.
	2. Limited Access to Electronic Communication 2.1 The CPA wishes to place on record that the majority of its beneficiaries are illiterate and reside in rural areas and do not have access to reliable internet, email, or other forms of electronic communication. 2.2 Consequently, the method of engagement adopted by Cape EAPrac – relying primarily on electronic communication and online document dissemination, in English – effectively excluded the majority of affected community members from meaningful participation in the EIA process. 2.3 This exclusion constitutes a material procedural deficiency, inconsistent with the principles of fair, transparent, and inclusive public participation as contemplated in the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the EIA Regulations, 2014 (as amended).	**2.1.** As reflected in the table above, the CPA has only engaged digitally with the EAP via the Cape EAPrac website and email. At no stage during the extensive engagement did the CPA raise concern with the utilisation of electronic communication. Notwithstanding the responsibility of the EAP to ensure that public participation is participatory, transparent, and inclusive, the responsibilities of I&AP's are also clear in the legislation and various guidelines on public participation that have been published in South Africa. In this regard, the following is relevant: • Representatives of organisations such as the Chatleka CPA are responsible for keeping their membership informed about findings in an EIA Process. Cape EAPrac have engaged with various members of the Chatleka CPA, including the Acting Chairperson and members of the extended Executive Committee. It is the responsibility of these structures within the CPA to inform their members / beneficiaries accordingly.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		2.2. During the scoping phase of the environmental process, comments, in English, were received on 03 May 2025 by means of electronic communication from Mr Motshewa Matimolane. This electronic communication confirmed that the comments were submitted in Mr Matliomane's personal capacity and on behalf of the CPA and its extended Executive Committee. The CPA and its extended Executive Committee are responsible for communicating matters that may affect the CPA with their members. The CPA's comment of 03 May 2025 (which was received electronically in English), did not raise language or digital limitations as a concern. Notwithstanding the above response, a revised Draft Environmental Impact Report has been made available for a further comment period (i.e. the third opportunity to comment). This revised Draft EIR also includes the availability of the document in hardcopy format available at both the Viva Banderlierkop (Fuel Station) and the Bandelierkop and Munzhedzi post office in Louis Trichardt.
	3. Failure to Engage the Community in an Appropriate Manner 3.1 It is both prudent and a legal expectation that engagement with the CPA and its members should be conducted in person, in a manner, form, language, and at a venue that is appropriate and accessible to the affected community. 3.2 It is deeply regrettable that such in-person engagement did not occur, particularly given the CPA's direct proximity to the proposed project areas and its status as a directly affected landholding community,	It is important to note that the CPA provided comment on the Draft Scoping Report, which was responded to in detail by the EAP and such responses were provided to the CPA. CPA did not respond, nor raise any additional concerns. At no stage, prior to the final EIA submission, during the EIA process did the CPA request a meeting in person, nor did they raise language barriers as a limitation to the Environmental Process. Notwithstanding the above response, a revised Draft Environmental Impact Report has been made available to registered and potential I&AP's for an additional review and comment period. Additional Site Notices, Newspaper Advertisements and Project summaries translated into Tshivenda form part of this Revised Draft EIR. A public open day / information sharing session has

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		been provided for as part of the comment period on the Revised Draft Environmental Report.
	4. Reasonable Expectation of Direct Consultation 4.1 As a neighbouring community to the proposed developments, the CPA had a legitimate and reasonable expectation that Cape EAPrac, as the Environmental Assessment Practitioner (EAP), would undertake special efforts to meet with the CPA and its members in person. 4.2 The undersigned and other registered I&APs from the CPA cannot reasonably represent the full breadth of community views, concerns, and perspectives. 4.3 Only through a properly constituted public meeting convened within the community could these diverse and affected voices have been adequately ventilated and formally recorded for consideration in the environmental process.	The Chatleka CPA, as a neighbouring landowner was notified of both the availability of the Draft Scoping Report and Draft Environmental Impact Report and did provide comment on the Draft Scoping Report. Notwithstanding, the fact that the CPA did provide comment, during the Environmental process, a revised Draft Environmental Impact Report has been provided for an additional comment period. A public open day / information sharing session has been provided for as part of the comment period on the Revised Draft Environmental Report.
	5. Request for Corrective Action 5.1 In view of the deficiencies outlined above, the CPA respectfully requests that Cape EAPrac and the competent authority reconsider the submission of the Final EIA and EMPr reports. 5.2 The CPA urges that the process be paused to allow for a proper, meaningful, and accessible public consultation with the Chatleka CPA and other affected CPAs in the surrounding area.	As outlined in the responses above, it is clear that the public participation undertaken is compliant with the requirements of the regulations as well as the objectives of NEMA. Notwithstanding the appropriate and compliant public participation already undertaken, a revised Draft Environmental Impact Report has been prepared and will be subjected to an additional stakeholder engagement process in order to address the CPA's concerns.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	5.3 This step is critical to ensure that community concerns, heritage sensitivities, and socio-economic expectations are appropriately reflected in the final environmental record prior to any further review or decision-making.	
	6. Reservation of Rights 6.1 The CPA hereby reserves all rights available to it under NEMA and related legislation to appeal, review, or otherwise challenge any decision that may be made on the basis of the current EIA process. 6.2 This reservation is based on grounds of inadequate, procedurally unfair, and exclusionary public participation, particularly as it pertains to a community whose ancestral lands – including burial sites of cultural and spiritual significance – fall within the proposed project footprint.	6.1. The reservation of rights by the CPA is noted. In terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), and the associated Environmental Impact Assessment (EIA) Regulations, all Interested and Affected Parties (I&APs), which include the CPA, are entitled to exercise their rights in terms of this legislation. It is further acknowledged that the CPA, as a registered I&AP, may pursue any lawful remedy available to it should it believe that the EIA process or the resultant decision is procedurally flawed, substantively unreasonable, or inconsistent with the principles of environmental justice and sustainable development as enshrined in Section 2 of NEMA. 6.2. A Heritage Specialist (CTS Heritage) undertook a Heritage Impact Assessment (HIA)for each of the projects. The Heritage specialist identified, a number of burial grounds and graves within the greater study area (Sites 009, 025, 037 and 038). These burials ranged from historic to recent and are all located outside of municipal cemeteries. Due to their high levels of local social and spiritual significance, these graves and burials were graded by the specialise as grade IIIA sites. These Grade III sites considered to have high local significance (warranting a high level of local protection, even if they do not meet the criteria for Provincial (Grade II) or National (Grade I) sites.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		Due to their local significance, the specialist recommended that a no development buffer of 100m be implemented around these burials and in order to retain their sense of place (as well as to ensure that no associated unmarked human remains are accidentally impacted by development activities). All of these graves/burials inclusive of the buffers recommended by the specialist were avoided in their entirety by the preferred alternatives for all of the projects. This information was provided to the CPA as part of the Draft Scoping Report as well as the Draft Environmental Impact Report. At no point in any of the communications received from the CPA, did they refute the findings of the HIA, which identified the burial sites within the study area.
	7. Principle of True and Meaningful Engagement 7.1 True and meaningful consultation is not a procedural formality; it is a cornerstone of environmental justice, community respect, and etheical project development. 7.2 For a project of this magnitude and sensitivity, the least that could have been done was for the EAP and project proponents to meet the affected community face-to-face, to listen, explain, and understand the implications of the development on their ancestral land. 7.3 The Chatleka CPA community expresses deep disappointment with the conduct of the current process and hereby appeals to Cape EAPrac to take corrective measures in good faith.	As outlined above, during the extensive public participation undertaken as part of the Environmental Process, the CPA did not raise any concerns regarding the inadequacy of consultation and did in fact engage with the EAP on numerous occasions. In order to further address the CPA's concerns, an additional public participation process is being undertaken, inclusive of: 1. Public Open Day / Information Sharing Session. 2. Additional Press Advertisements, Site Notices translated into TshiVenda 3. Background information translated into Tshivenda. 4. Provision of additional physical hard copies for review by parties who do not have access to digital platforms.
	Conclusion	1. The CPA and the EAP engaged extensively during the scoping phase of the environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The Chatleka CPA urges Cape EAPrac, the project proponents and all relevant authorities to take immediate steps to rectify the procedural shortcomings by engaging affected communities in a fair, inclusive, and culturally appropriate manner before proceeding further. We trust that this matter will receive your urgent and serious attention, and we look forward to your written response indicating how these concerns will be addressed.	2. All comments received in the Scoping Phase were addressed and Responded to in detail. 3. The CPA did not raise procedural issues in any of their comments during the Environmental Process. 4. The CPA provided all comments in English and did not raise language barriers as a concern in any of their comments during the Environmental Process. 5. The CPA provided all comments vie digital platforms (Cape EAPrac Website and email) did not raise the access to digital platforms as a concern in any of their comments during the Environmental Process. 6. The CPA did not participate nor provide any comments during the Environmental Impact Assessment phase of the environmental process (where all comments from the Scoping phase were addressed and responded to in detail). 7. The procedural concerns relating to language and accessibility issues were only raised by the CPA after the submission of the Final EIR to the Competent Authority for decision making. Notwithstanding the above, an additional public participation process as outlined above is being undertaken to further address the concerns of the CPA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT		
19/09/2025 Via Email Ms Zamalanga Langa - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment: **BETHEL SOLAR PV**	**(a) Listed Activities**	
	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. Also ensure to choose the correct and relevant sub listing. Additionally, note that the onus is 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.	These relevant thresholds are included in the description for each of the listed activities as reflected in the revised application form in Appendix J as well as in section 3.1.2.
	If the activities applied for in the application form differ from those mentioned in the final SR and draft 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.environment.gov.za/documents/forms.	A revised application form is attached in Appendix in Appendix J. The Listed activities outlined in this application form and those reflected in section 3.1.2 of this report (and assessed) are the same.
	(b) Draft Environmental Impact Assessment Report (EIAr)	
	i) It has been noted that the associated infrastructure includes water storage tanks and pipelines. The DEIAr provides no assessment of the pipeline's impact. Kindly specify the size and length of the pipeline. Also please ensure that the pipeline impacts are assessed and do not trigger a listed activity.	Kindly note that pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will not trigger any Listed Activity and is situated entirely within the area depicted for O&M buildings on the Site Layout Plan in Appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(ii) You have applied for the BESS. You are required to provide the height and capacity of the BESS.	Please refer to the technical details in the tables above. The BESS will have a maximum storage capacity of 3840MWh and a maximum height of 6m.
	(iii) Please provide a technical detail for the proposed facility with the components and descriptions and or dimensions of the project not limited to BESS, onsite switching station, IPP substation, O&M complex, Access road and internal roads, temporary storage, laydown area.	Please refer to the tables above, where all the technical details of the proposed PV development as well as the associated infrastructure have been tabulated.
	(iv) Furthermore, the technical details must indicate the distances of all the assessed powerline alternatives. Currently, only one powerline distance has been provided, and it is unclear whether this relates to the preferred powerline alternative or not.	The technical details of the powerline infrastructure detailed in the tables above are applicable to the preferred powerline alignment. The co-ordinates and the Site Layout Plan in Appendix D1 also reflect the preferred Alternative.
	(v) Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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 final EIAr.	Please refer to section 2.11 below where the alternatives are discussed in detail.
	(vi) A description of the process followed to reach the preferred alternative within the site as per Appendix 1(3)(1)(h)(i) of the EIA Regulations (2014), as amended, must be incorporated into the final EIAr.	Please refer to section 2.10 (site selection process) and section 2.11.
	(vii) You indicated that no technology alternatives are under consideration in this application. Please investigate BESS technology alternatives. You are requested to explain which technology alternative preferable, and the other alternatives are not viable.	The reference to technology alternatives relates to alternative generation technologies (i.e. that PV is the only generation technology under investigation). BESS technology alternatives (Solid State, Redox Flow and Liquid metal technologies) were considered and the risk associated with each considered (Please refer to the BESS risk assessment compiled by ISHEcon attached in Appendix E8).

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		The preferred BESS technology was determined to be: Solid State Lithium or Sodium Ion technologies. This will be containerised technology and no assembly of individual components will take place on site.
	(c) Locality, Site Layout and Sensitivity Maps (i) Please ensure that the site layout map to be submitted with the final EIAr must provide the following:	
	A clear description of all associated infrastructure.	All infrastructure reflected on the preferred site layout plan (Appendix D1) is described in the tables above.
	substation;	The substation (IPP side and Eskom side) is depicted on the site layout plan in appendix D1.
	powerline	The powerline is depicted on the site layout plan in Appendix D1.
	The locality map must depict the pipeline	As noted above, the pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will not trigger any Listed Activity and is situated entirely within the area depicted for O&M buildings on the Site Layout Plan in Appendix D1.
	Internal roads infrastructure; and;	The internal roads infrastructure is depicted on the site layout plan in Appendix D1.
	All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	All supporting infrastructure is depicted on the site layout plan in appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	The location and sizes of all infrastructure are shown on the preferred site layout plan in Appendix D1 and are also reflected in the technical description tables above.
	A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:	
	Permanent laydown area footprint;	The laydown area is depicted in the site layout plans attached in appendix D1. Please note that as per the EMPr, a 1ha permanent laydown has been allowed for within the extent of the temporary laydown.
	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);	The width of the internal and access roads are depicted in in the site layout plan attached in Appendix D1 and detailed in the technical descriptions above. Incompliance with the EMPr (Appendix I) the Construction phase roads and the operational phase roads will be developed on the same alignment.
	Wetlands, drainage lines, rivers, streams and water crossings of roads and cables indicating the type of bridging structures that will be used;	All of the delineated water courses and the associated buffers delineated by the aquatic biodiversity specialist have been excluded from the preferred layout alternative. There are instances where access roads and construction tracks need to cross these to cross these delineated watercourses for the purposes of construction and operation of the facility. These crossings form part of the application for water use in terms of the National Water Act(NWA), which has been submitted to the Department of Water and Sanitation. The type of structure for these crossings will most like be a Low level Water Crossing. The final type of structure however will be determined as part of the ongoing process in terms of the NWA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;	All sensitive environmental features, including no go areas and buffers are depicted on in the site layout plan for the preferred alternative attached in Appendix D1.
	Substation(s) and/or transformer(s) sites, including their entire footprint;	The substation and Transformer sites are depicted in the site layout plan attached in Appendix D1.
	Location of access and service roads;	The location of all roads, including internal roads, perimeter roads and access roads is shown on the site layout plan attached in Appendix D1.
	Connection routes (including pylon positions) to the distribution/transmission network;	The position of pylons cannot be determined until such time as the detailed design is undertaken. The pylon positions are determined by Eskom in consultation with the project engineers after the Budget Quote Process is completed. This budget quote process can only take place once the project receives an environmental authorisation. For the purposes of this environmental application, it should be noted that the pylons will all be within the proposed grid connection corridor and will be situated more than 32m from any of the delineated watercourses.
	All existing infrastructure on the site, especially railway lines and roads;	There is no railway infrastructure present on the proposed footprint for the facility. All other existing infrastructure, most notably roads and Eskom Powerline infrastructure is depicted on the Site Layout Plan attached in Appendix D1.
	Buffer areas;	All buffer areas recommended by the participating specialists (Aquatic Biodiversity, Avifauna and Visual) are included.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Buildings, including accommodation;	All buildings are reflected in the Site Layout Plan attached in Appendix D1. No accommodation is proposed as part of this application.
	All "no-go" areas; and	All no go areas along with the buffers on the no go areas are depicted in the Site Layout Plan attached in Appendix D1.
	A north arrow and legend/key, to enable the Department to interpret the layout map.	The site layout plan attached in appendix D1 includes a North Arrow.
	An environmental sensitivity map indicating environmentally sensitive areas and features identified during the assessment process.	The site layout plan attached in Appendix D1 includes all sensitive features and buffer areas recommended by the specialists.
	A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(d) Coordinates	
	(i) The EIAr must include coordinates of the proposed project including all associated infrastructures as shown on the layout map submitted with the draft EIAr. i.e. BESS, IPP substation, onsite substation, laydown area, O&M buildings, Diesel storage, access point and access road.	All the co-ordinates provided in the section above are in WGS-84 projection. The co-ordinates of the PV footprint are included for each bend point in the footprint. Associated infrastructure is reflected as centre points and linear infrastructure is depicted as start, middle and end points. Please note that the co-ordinates reflected depict the infrastructure associated with the preferred alternative only.
	(e) Public Participation Process	
	(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr.	Please refer to Appendices F5 and F7.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(ii) Please ensure that all issues raised, and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final 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.	Please refer to appendix F5 for all comments received on the Draft Scoping Report and appendix F7 for all comments received on the Draft Environmental Impact Report. The responses to these comments are included in the comments and responses report attached in appendix F2.
	(iii) Copies of comments received must be submitted to the Department. Copies of responses provided to all comments received must also be submitted. In addition, the EIAr must also include proof that responses were sent to Interested and Affected Parties.	Please refer to appendix F5 for all comments received on the Draft Scoping Report and appendix F7 for all comments received on the Draft Environmental Impact Report. The responses to these comments are included in the comments and responses report attached in appendix F2.
	(iv) A Comments and Response trail report (C&R) must be submitted with the final EIAr. 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 Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments. Please ensure that the comments and trail report is in the format provided by the department. This must include all comments received on this application.	A comment and responses report is attached in appendix F2.
	(v) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.	Comments and responses are reflected verbatim per comment received and have not been arranged into categories.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(vi) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.	Please refer to section 8 of the EIR as well as appendices F1 -F7, which shows how the public participation complies with of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.
	(vii) The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.	The EAP did contact the department to arrange a site visit prior to the submission of the Final EIR. A site visit was undertaken with Ms Makhosi Yeni and Olivia Letlalo on Wednesday, 01 October. This site visit was largely applicable to the Klipput PV Project and the preferred grid connection alternative for all 4 of the projects.
	(viii) All evidence of public participation must be included in the final EIR including site notices and newspaper articles	Please refer to Appendix F1 – F7 for all details regarding the public participation that was undertaken.
	(f) Cumulative Assessment	
	(i) During the pre-application meeting, it was indicated that the applicant intends to develop three (3) × 240 MW solar PV facilities and one (1) × 75 MW solar PV facility, including the associated grid connections. These applications have already been submitted to the Department and allocated to different officials. However, the draftt EIAr does not make reference to these clustered applications. You are therefore requested to include these projects in the introduction of the EIAr and provide the reference numbers for each. Furthermore, a map showing the location of these projects must also be included. This information must be consistently reflected in all EIArs to be submitted.	The introduction section in all 4 of the reports has been updated to reflect all projects (including the reference numbers) that form part of this cluster.
	(ii) Please ensure that EIR must include cumulative impact assessment for all identified and assessed impacts and must be refined to indicate the following.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	All specialists have included mitigation measures to address cumulative impacts of the proposed facility. This includes both mitigation measures to address the cumulative effects of the four projects in this cluster as well as those with other projects within the greater area.
	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.	The significance of cumulative impacts have been considered and included as part of the need and desirability of the project. Please refer to section 2.9 in the EIR for further details in this regard.
	A cumulative impact environmental statement on whether the proposed development must proceed.	A cumulative impact statement is included in section 6.11.
	A cumulative map that shows all the neighbouring PV Developments.	Please refer to appendix D2.
	(g) Specialists	
	(i) Specialist studies must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.	The methodology for the specialist studies are included in their respective reports in appendices E1 to E8. The general assessment methodology is outlined in section 6.1
	(ii) 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.	All limitations to the specialist studies are included in their respective reports in appendices E1 to E8 and summarised in section 1.3 of the EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(iii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and where necessary, include further expertise advice.	No contradicting recommendations have been suggested by participating specialist and all Environmental Impact Management Outcomes and Actions between specialists are aligned and have been incorporated into the EMPr.
	(iv) It is brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will apply. Please indicate in the EIAr whether or not the protocols were applied or provide the necessary proof where the exception applies. Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered.	All relevant specialist studies included in Appendices E1 – E8 of the EIR have been prepared in terms of the 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. Please not that in terms of these studies, the Terrestrial Biodiversity, Plant Species, Animal Species, Aquatic Biodiversity and Agricultural assessments have been undertaken in terms of the relevant protocols. All other studies, namely the Heritage Impact Assessment, Visual Impact Assessment, Social Impact Assessment and BESS Risk Assessment.
	v) For ease of reference, please provide a table in the EIAr's, indicating the studies required by the Department's screening tool, a column indicating whether these studies where undertaken or not, a column with the requisite motivation if a study was not undertaken (confirmed by a site sensitivity verification, where the protocols are applicable and require such); a column(s)	Please refer to section 5.11 for the table indicating studies required by the Department's screening tool and whether these studies where undertaken or not.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	indicating whether the protocols are applicable and if they were complied with for the relevant study.	
	(h) Environmental Management Programme	
	(i) The generic EMPrs are not signed by the applicant holder of EA. You are required to ensure that the generic EMPrs are signed by the applicant.	The generic EMPr's for both powerline and substation infrastructure as attached in Appendix I have been signed by the applicant.
	(ii) Please ensure that all recommended mitigation measures recorded in the EIAr and specialist studies are carried through to the site-specific section of the Generic EMPrs. The EMPrs must also include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process, overlaid with the development footprint site map.	The recommendations recorded in the EIR (Section 7) have been incorporated into the EMPR as well as the Generic EMPr's for powerline and substations as attached in Appendix I.
	(iii) Please also include in the EMPr, the recommended frequency for the auditing of compliance with the conditions of the EA and EMPr for the construction, post-construction monitoring, and operational (where relevant) phases of the activity, and for the submission of such compliance reports to the competent authority.	The recommended frequency for auditing is included in section 15.2 of the EMPr as attached in Appendix I. In terms of this section, In addition to the internal environmental audit (which takes place as part of the monthly environmental control report), the following external audits are required to be undertaken: - Annually during the construction phase. - Within 1 month of completion of construction activities. - Within 1 year of commencement of operations. - Every 3 years thereafter.
	(iv) The facility EMPr must include 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	Such measures are included in the EMPr in Appendix I

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(v) You must ensure that the facility EMPr complies with Appendix 4 of the EIA Regulations, 2014, as amended.	A table indicating compliance with Appendix 4 of the EIA regulations is included in the EMPr in Appendix I.
	General	
	Where the proposed activity does not include operational aspects, please also ensure that the final EIAr includes the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised, as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	This is included in section 2.12 of the EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: - Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. - Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	The submission of this Final EIR is within the timeframes outlined in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014. All comments received during both of the comment periods have been included.
	Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, 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, and an EMPr, which must have been subjected to a public participation process of at least 30 days and	The submission of this Final EIR is within the timeframes outlined in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014. All comments received during both of the comment periods have been included.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	which reflects the incorporation of comments received, including any comments of the competent authority."	
	Should there be significant changes or new information that has been added to the EIAr's or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the reports, and an EMPr, 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 application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.	No significant changes or new information is included in the Final EIR. The changes between the Draft and Final EIR are mostly related to incorporation of the comments received on the Draft EIR and inclusion of all the relevant proof of public participation that was undertaken on the Draft EIR.
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	The EAP and the Applicant are aware of the timeframes outlined in regulation 23 and the submission of this Final EIR is within the allowable timeframes.
	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.	No significant changes or new information is included in the Final EIR. The changes between the Draft and Final EIR are mostly related to incorporation of the comments received on the Draft EIR and inclusion of all the relevant proof of public participation that was undertaken on the Draft EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
22/09/2025 Via Email Mr Lunga Dlova - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **DRAAILOOP SOLAR PV**	**(a) Listed Activities and application form**	
	(i) You have applied for Listing Notice 1 item 11 the development of facilities or infrastructure, for the transmission and distribution of electricity – outside an urban area or industrial complexes with a capacity of more than 33kV but less than 275kV. Please specify the exact capacity of the electricity to be transmitted and distributed.	The capacity of the infrastructure for transmission and distribution will be up to 132kV. Please refer to the revised application form attached in appendix J and section 3.1.2 of this report where the capacity of the transmission and distribution infrastructure is defined.
	(ii) You have applied for Listing Notice 1 item 12 the development of an infrastructure or structures with a physical footprint of 100 metres square or more. Please specify whether this activity will be triggered or not, as the term "may be" shows a concern of being uncertain.	All PV infrastructure and pylons will be set back further than 32m from any of the delineated watercourses. This activity is relevant to instances where the roads / construction tracks and cabling will be required to cross the delineated watercourses. A revised application form is attached in appendix J which provides clarity in this regard.
	(iii) You are requested to provide the details such as vegetation clearance, access road length and width, and development footprint. Please include any relevant thresholds, areas, or footprints for the development where necessary as mentioned above.	Please refer to the tables above, where all the technical details of the proposed PV development as well as the associated infrastructure have been tabulated.
	(iv) If the activities applied for in the application form differ from those mentioned in the final SR and draft 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.environment.gov.za/documents/forms.	A revised application form is attached in Appendix J of the Final Environmental Impact Report. The activities in this revised application and those included and assessed in this EIR are the same.
	(b) Draft Environmental Impact Assessment Report (EIAr)	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(i) It has been noted that the associated infrastructure includes water storage tanks and pipelines. The DEIAr provides no assessment of the pipeline's impact. You must specify the size and length of the pipeline. You are required to assess the impacts of the pipeline. Please ensure that the pipeline does not trigger any listed activity as no listed activity for the pipeline you have applied for.	Kindly note that pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will not trigger any Listed Activity and is situated entirely within the area depicted for O&M buildings on the Site Layout Plan in Appendix D1.
	(ii) You have applied for the BESS. You are required to provide the height and capacity of the BESS.	As outlined in the EIR, the preferred BESS technology is pre-assembled containerised lithium BESS units. The proposed BESS will have a maximum storage capacity of 3840MWh and a maximum height of 6m.
	(iii) Please provide a technical detail for the proposed facility with the components and descriptions and or dimensions of the project not limited to BESS, onsite switching station, IPP substation, O&M complex, access road and internal roads, temporary storage, laydown area.	The detailed technical descriptions including the dimensions where relevant are included in the tables above.
	(iv) Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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 final EIAr.	Please refer to section 2.10 and 2.11 of the EIR for the detailed discussion of alternatives as well as the criteria applied for the selection of the site.
	(v) A description of the process followed to reach the preferred alternative within the site as per Appendix 1(3)(1)(h)(i) of the EIA Regulations (2014), as amended, must be incorporated into the final EIAr.	Please refer to section 2.10 and 2.11 which details the process followed to select the site as well as the process followed to select the preferred layout alternative within the selected site.
	(vi) You indicated that no technology alternatives are under consideration in this application. Please investigate BESS technology alternatives. You are	Technology Alternatives relating to the mounting structures for the PV modules as well as Technology Alternatives for the BESS infrastructure has been considered in this environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	requested to explain which technology alternative preferable, and the other alternatives are not viable.	Single Axis Tracking Technology has been selected as the preferred technology for the PV mounting structures and Solid State, pre-assembled, containerised Lithium Batteries have been selected as the preferred BESS technology. Please refer to section 2.1 and section 2.5 for further details in this regard.
	(c)Locality, Site Layout and Sensitivity Maps	
	(i) The final EIAr must provide the following:	
	This description must include, but is not limited to the following: - A clear description of all associated infrastructure. - substation; - powerline - The locality map must depict the pipeline - Internal roads infrastructure; and; - All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	The project description and associated tables detailing the project infrastructure are included in the summary above as well as in section 2 of the EIR. Please note that the pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will trigger any Listed Activity. The preferred BESS technology has been selected as containerised solid state lithium technology and as such does not constitute the Storage of Dangerous Goods. A revised application form has been attached in appendix J to remove the listed activities associated with the storage and storage and handling of dangerous goods.
	All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	The sizes of the various components forming part of the project are detailed in the table above and the location of all components are shown in the Site Layout Plans attached in Appendix D1 as well as in the tables depicting the co-ordinates of the PV project and associated infrastructure are included in the tables above.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:	
	Permanent laydown area footprint;	The laydown area is depicted in the site layout plans attached in appendix D1.
	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);	The width of the internal and access roads are depicted in in the site layout plan attached in Appendix D1 and detailed in the technical descriptions above. Incompliance with the EMPr (Appendix I) the Construction phase roads and the operational phase roads will be developed on the same alignment.
	Wetlands, drainage lines, rivers, streams and water crossings of roads and cables indicating the type of bridging structures that will be used;	All of the delineated water courses and the associated buffers delineated by the aquatic biodiversity specialist have been excluded from the preferred layout alternative. There are instances where access roads and construction tracks need to cross these to cross these delineated watercourses for the purposes of construction and operation of the facility. These crossings form part of the application for water use in terms of the National Water Act(NWA), which has been submitted to the Department of Water and Sanitation. The type of structure for these crossings will most like be a Low level Water Crossing. The final type of structure however will be determined as part of the ongoing process in terms of the NWA.
	The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;	All sensitive environmental features, including no go areas and buffers are depicted on in the site layout plan for the preferred alternative attached in Appendix D1.
	Substation(s) and/or transformer(s) sites, including their entire footprint;	The substation and Transformer sites are depicted in the site layout plan attached in Appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Location of access and service roads;	The location of all roads, including internal roads, perimeter roads and access roads is shown on the site layout plan attached in Appendix D1.
	Connection routes (including pylon positions) to the distribution/transmission network;	The position of pylons cannot be determined until such time as the detailed design is undertaken. The pylon positions are determined by Eskom in consultation with the project engineers after the Budget Quote Process is completed. This budget quote process can only take place once the project receives an environmental authorisation. For the purposes of this environmental application, it should be noted that the pylons will all be within the proposed grid connection corridor and will be situated more than 32m from any of the delineated watercourses.
	All existing infrastructure on the site, especially railway lines and roads;	There is no railway infrastructure present on the proposed footprint for the facility. All other existing infrastructure, most notably roads and Eskom Powerline infrastructure is depicted on the Site Layout Plan attached in Appendix D1.
	Buffer areas;	All buffer areas recommended by the participating specialists (Aquatic Biodiversity, Avifauna and
	Buildings, including accommodation;	All buildings are reflected in the Site Layout Plan attached in Appendix D1. No accommodation is proposed as part of this application.
	All “no-go” areas; and	All no go areas along with the buffers on the no go areas are depicted in the Site Layout Plan attached in Appendix D1.
	A north arrow and legend/key, to enable the Department to interpret the layout map	The site layout plan attached in appendix D1 includes a North Arrow.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	The environmental sensitivity map is overlayed onto the site layout plan attached in Appendix D1.
	A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(d) Public Participation	
	(i) The final EIAr must comply with all conditions of the acceptance of the scoping report dated 23 July 2025. Please ensure that the Department's comments are addressed in the report as well as in the comments and response table.	Please refer to the table above showing how this Final EIR complies with the Departments comments on the acceptance of the Final Scoping Report. The responses to the Departments acceptance of the Final Scoping Report as well as their comments on the Draft Environmental Impact Report are also included in the Comments and Responses Report in Appendix F2.
	(ii) Ensure that the final EIAr includes proof that the key stakeholders received written notification of the proposed activity, and the draft EIAr. Comments made by interested and affected parties (I&APs) must be comprehensively captured and responded to clearly and fully in the comments and response report.	Please refer to appendix F5 for all comments received on the Draft Scoping Report and appendix F7 for all comments received on the Draft Environmental Impact Report. The responses to these comments are included in the comments and responses report attached in appendix F2.
	(e) Cumulative Assessment	
	(i) You are required to assess each identified potentially significant impact and risk, including—	
	cumulative impacts;	Cumulative impacts have been assessed in section 6.11 of the EIR.
	- the nature, significance and consequences of the impact and risk; - the extent and duration of the impact and risk; - the probability of the impact and risk occurring; - the degree to which the impact and risk can be reversed;	The Impact Assessment Tables in section 6.2 – 6.10 include a detailed assessment of all identified impacts in alignment with the criteria identified by

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- the degree to which the impact and risk may cause irreplaceable loss of resources; and - the degree to which the impact and risk can be mitigated.	the Department. Please also refer to section 6.1 for the methodology applied for the assessment of impacts.
	(ii) There are other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:	
	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.	The quantification of cumulative impacts, including the size of the identified impacts is outlined in Table 58. This table includes details regarding the 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.	All specialists have included mitigation measures to address cumulative impacts of the proposed facility. This includes both mitigation measures to address the cumulative effects of the four projects in this cluster as well as those with other projects within the greater area.
	The cumulative impacts significance rating must also inform the need and desirability of the proposed development.	The significance of cumulative impacts have been considered and included as part of the need and desirability of the project. Please refer to section 2.9 in the EIR for further details in this regard.
	A cumulative impact environmental statement on whether the proposed development must proceed.	The cumulative impact Statement is included in section 6.11 and Section 6.13.
	(f) Specialists	
	(i) Please include a table in the BAR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted.	Please refer to Table 15 in section 3.1.4.7 which outlines the specialist studies identified in the screening tool as well as confirmation of which studies were undertake and which were not undertaken, including motivation for studies that

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		were not undertaken. Please also note that the specialist studies undertaken align with the plan of study for EIA which was accepted by the Department as part of the acceptance of the Final Scoping Report.
	(ii) It is brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will apply. Please indicate in the EIAr whether or not the protocols were applied or provide the necessary proof where the exception applies. Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered.	All relevant specialist studies included in Appendices E1 – E8 of the EIR have been prepared in terms of the 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. Please not that in terms of these studies, the Terrestrial Biodiversity, Plant Species, Animal Species, Aquatic Biodiversity and Agricultural assessments have been undertaken in terms of the relevant protocols. All other studies, namely the Heritage Impact Assessment, Visual Impact Assessment, Social Impact Assessment and BESS Risk Assessment have been undertaken in terms of Appendix 6 of the EIA applications as amended.
	(iii) For ease of reference, please provide a table in the EIAr's, indicating the studies required by the Department's screening tool, a column indicating whether these studies where undertaken or not, a column with the requisite motivation if a study was not undertaken (confirmed by a site sensitivity verification, where the protocols are applicable and require such); a column(s) indicating whether the protocols are applicable and if they were complied with for the relevant study.	Please refer to Table 58 in section 3.4.17.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(g) Environmental Management Programme	
	(i) The generic EMPrs are not signed by the applicant holder of EA. You are required to ensure that the generic EMPrs are signed by the applicant.	The generic EMPr's for both powerline and substation infrastructure as attached in Appendix I have been signed by the applicant.
	(ii) Please ensure that all recommended mitigation measures recorded in the EIAr and specialist studies are carried through to the site-specific section of the Generic EMPrs. The EMPrs must also include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process, overlaid with the development footprint site map.	The recommendations recorded in the EIR (Section 7) have been incorporated into the EMPR as well as the Generic EMPr's for powerline and substations as attached in Appendix I.
	(iii) Please also include in the EMPr, the recommended frequency for the auditing of compliance with the conditions of the EA and EMPr for the construction, post-construction monitoring, and operational (where relevant) phases of the activity, and for the submission of such compliance reports to the competent authority.	The recommended frequency for auditing is included in section 15.2 of the EMPr as attached in Appendix I. In terms of this section, In addition to the internal environmental audit (which takes place as part of the monthly environmental control report), the following external audits are required to be undertaken: - Annually during the construction phase. - Within 1 month of completion of construction activities. - Within 1 year of commencement of operations. - Every 3 years thereafter.
19/09/2025	**(a)Project description and Listed Activities**	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
Via Email Ms Makhosazane Yeni - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **KLIPPUT SOLAR PV**	The draft EIAr indicated that a revised application form will be submitted with the final EIAr to reflect the updated descriptions. Please note that the activities applied for in the application form must be the same as those in the EIAr.	A revised application form is attached in Appendix in Appendix J. The Listed activities outlined in this application form and those reflected in section 3.1.2 of this report (and assessed) are the same.
	It has been noted that activity 14 of Listing Notice (LN) 1 has been applied for because of the BESS, however, it remains unclear if the BESS will be assembled on site or not. Furthermore, you are advised to assess the risk in relation to dangerous goods and the best practical environment option be selected.	The preferred technology for the BESS includes pre assembled, solid state, containerised Battery Storage. Activity 14 in Listing Notice 1 is no longer relevant and has been removed from the Revised Application (Appendix H) and this Final EIR.
	The size or the capacity of triggering project infrastructure applied for are estimated. You are reminded to ensure that all the dimensions/sizes of associated infrastructure (i.e. roads, pipelines, etc) as detailed on page iii, iv, v, vi, 8, 9, 40, 41, and 42 of the draft EIAr are included in the amended application form and final EIAr.	These details have been included in the Final EIR and Revised Application Form. Kindly note that pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will trigger any Listed Activity.
	For activity 24 of LN1, it is not clear whether the road will have a reserve or not. This must be clear in the amended application form and the final EIAr.	The descriptions in activity 24 in the revised application form (Appendix J) have been amended to confirm that the internal road network will not have a road reserve as it falls within the PV operational area.
	For activity 14 and 18 of LN3 the use of word “may be” and “and/or” is hereby noted. However, kindly be advised that listed activities are not based on a precautionary approach. Please ensure that all the listed activities in the amended application form and EIAr are clear, are the same and final for decision making purposes. Should it not be clear that listed activity is triggered, such activity will not be considered in the decision-making process.	The revised application form in Appendix J has been amended to remove an ambiguity in the project descriptions.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Please ensure that all relevant activities listed are applied for are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. In addition, the onus is on the applicant and the Environmental Assessment Practitioner ("EAP") to ensure that all the applicable listed activities are included in the application form and the EIAr. Failure to do so may result in unnecessary delays in the processing of the application.	These relevant thresholds are included in the description for each of the listed activities as reflected in the revised application form in Appendix J as well as in section 3.1.2.
	If the activities applied for in the application form differ from those mentioned in the EIAr an amended application form must be submitted with the EIAr. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.	A revised application form is attached in Appendix J of the Final Environmental Impact Report. The activities in this revised application and those included and assessed in this EIR are the same.
	(b) Coordinates	
	Please provide coordinate points for the proposed development site (note that if the site has numerous turning points, each turning point coordinates must be provided) as well as the start, middle and end point of all linear activities (indicate the position of the proposed activity with the latitude and longitude and the centre point for each alternative site). The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection).	All the co-ordinates provided in the section above are in WGS-84 projection. The co-ordinates of the PV footprint are included for each bend point in the footprint. Associated infrastructure is reflected as centre points and linear infrastructure is depicted as start, middle and end points. Please note that the co-ordinates reflected depict the infrastructure associated with the preferred alternative only.
	(c) Alternatives	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Alternatives as included on page 30 to 37 of the draft EIAr are hereby noted. However, it has been indicated that no technology alternatives are under consideration in this application. For BESS, the preferred technology alternatives must be investigated and it must be clear if the BESS will be assembled on site or not.	The reference to technology alternatives relates to alternative generation technologies (i.e. that PV is the only generation technology under investigation). BESS technology alternatives (Solid State, Redox Flow and Liquid metal technologies) were considered and the risk associated with each considered (Please refer to the BESS risk assessment compiled by ISHEcon attached in Appendix E8). The preferred BESS technology was determined to be: Solid State Lithium or Sodium Ion technologies. This will be containerised technology and no assembly of individual components will take place on site.
	You are required to provide all the alternatives considered for this development as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014 as amended in the final EIAr. Furthermore, the preferred options for all assessed alternatives must be determined and be clear throughout the final EIA report.	Please refer to section 2.11 of the EIR report for a discussion on alternatives considered as well as the preferred alternative determined as part of this environmental process. Please note that the project description and co-ordinates depicted at the beginning of the EIR and sin section 2, are those associated with the preferred alternative. The site layout plan attached in Appendix D1 also depicts the preferred alternative for both the PV facility and associated infrastructure as well as the preferred Grid connection alignment.
	Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2. However, note that no development will be allowed within sensitive areas, mitigation hierarchy should be considered to avoid impacts on sensitive environment.	Alternatives, particularly layout alternatives for the PV and alignment alternatives for the Grid Connection infrastructure were considered as part of this environmental process (section 2.11). The preferred alternative was determined following a risk adverse approach to take into account all the sensitivities identified during the Site Sensitivity Verification Phase of the Project.
	The preferred alternative must be aligned with the specialist's recommendations.	The specialist findings were explicitly utilised to determine the preferred layout alternative. All no go areas and buffers identified by the specialists have been avoided by the preferred layout alternative.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(d) Layout and Sensitivity Maps	
	Figure 26: Alternative 3- Preferred layout is hereby noted. However, the following is not clear: - The site boundary as said to be depicted in green is not clear. - The two green sites opposite the PV areas are not specified on the legend.	Kindly note that Figure 26 has been replaced with a higher resolution map. A full scale version of this Preferred Site Layout Plan is attached in Appendix D1. Kindly note that the Green polygons (inclusive of the green on either side of the PV footprint) represent the property boundary and not the development footprint.
	The final layout map must include the following:	
	The PV development area;	The PV development Area is depicted in the blue polygons in Appendix D1.
	Preferred EGI alternative.	The preferred EGI alternative is Shown in Appendix D1.
	Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline route, etc.	PV panels, BESS, on-site substations and powerline route is all depicted on the Preferred Site Layout plan in Appendix D1
	All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings including accommodation, dangerous goods facility etc.	All supporting on site infrastructure is depicted on the Preferred Site Layout plan in Appendix D1.
	All existing infrastructure on the site, especially railway lines and roads.	There are no railways within the footprint of the facility. Existing road infrastructure is depicted on the topographical plan which underlays the Layout components.
	Internal roads indicating width (construction period width and operation period width).	Access Roads (8m wide) as well as internal and perimeter roads (6m wide) are depicted on the preferred Site Layout plan attached in Appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure.	All no go areas and Buffers are depicted in the Site Layout Plans attached in Appendix D1.
	Buffer areas.	All buffer areas and no-go areas are depicted on the Preferred Site Layout Plans attached in Appendix D1.
	All "no-go" areas.	
	A north arrow and legend/ key, to enable the Department to interpret the layout map.	A North Arrow and detailed legend is shown on the site layout plans in Appendix D1.
	All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible.	All no go areas and buffers identified by the specialists were considered and incorporated into the preferred layout alternative that is depicted in Appendix D1.
	The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments.	The preferred layout plan attached in Appendix D1 includes the sensitive features and buffers identified by the participating specialists.
	A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV).	The cluster Map showing Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV is included in Appendix D2.
	Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable on the legend.	The Site Layout Plan is does utilise distinctive colours and shading to ensure the different components are easily distinguishable from one another. Additional labels have been included to differentiated between infrastructure.
	Google maps will not be accepted for decision-making purposes.	Google Maps are not included in the Site Layout Plan and are only utilised in text.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(e) Public Participation Process (PPP)	
	Page 53 of the Terrestrial Biodiversity Assessment mentions that "although the project area is not located within a protected area, it is located within a conservation area – the Vhembe Biosphere Reserve (VBR)". You are reminded to seek input from DFFE's Protected Areas Section and Vhembe Biosphere Reserve (VBR) NPC- info@vhembebiosphere.org. Their comments must be addressed, responded to and incorporated in the EIAr. Should it be that Section 50(5) in terms of NEM:BA is required, you are advised to obtain such and include it in the final EIAr.	The Vhembe Biosphere Reserve were registered as an interested and affected party on this environmental process and were provided with an opportunity to comment on both the Draft Scoping Report and Draft Environmental Impact Report. At the time of submission of the Final Environmental Impact Report, no comment had been received from the Vhembe Biosphere Reserve. Please note that NEMBA does not include a Section 50(5) in the regulations, nor the act itself.
	The issue raised on 06 May 2025 by Motz Ntimo regarding land claims affecting multiple farms identified, including Portion 1 of Farm 425, Remainder of Farm 466, and Portion 1 of Farm 466 must be addressed and responded to. Proof thereon must be incorporated to the EIAr.	**Applicant Response:** Thank you for your comment. The proposed Tabor Cluster consists of the 4 individual proposed Solar PV facilities, impacting on the following properties:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response

Farm Description	Proposed Bethel Solar PV Facility (14/12/16/3/3/2/2698)	Proposed Draailoop Solar PV Facility (14/12/16/3/3/2/2699)	Proposed Klipput Solar PV Facility (14/12/16/3/3/2/2700)	Proposed Makoppa Solar PV Facility (14/12/16/3/3/2/2701)
Farm 431	X	X		
Remainder of 466	X		X	
Portion 1 of 425		X	X	
Remainder 430		X		
Portion 1 of 466			X	
Portion 1 of 465				X

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td></td><td>The Applicant confirms engagement with The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo) – further referred to as the Commission, are the decision making authority on the land claims matter. The following communications were noted:

• Appendix G1b - on the 19th of September 2024, the Commission indicated that there are restitution land claims lodged prior to 1998. The land claim on Draailoop RE/430 was dismissed.

<table>
<tr><th>Property/ Farm Name</th><th>Claimant(s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Portion 1 of Klippuit 425 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Remainder and Portion 1 of Makoppa 466 LS</td></tr>
<tr><td>Portion 0 of Bethel 431 LS</td><td>Matjuda Family</td><td>536</td></tr>
<tr><td>Portion 1 of Kaffernek 465 LS</td><td>Mokororwane Community</td><td>690/9342</td><td>Settled</td></tr>
<tr><td>Remainder of Draailoop 430 LS</td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
</table>

• Appendix G1c - on the 9th of October 2024, the Commission indicated that there are no land claims against the properties in question and confirm that they have no objection to the proposed development.
• Appendix G1d - on the 10th of June 2025, the Commission indicated that that there are restitution land claims lodged prior to 1998.</td></tr>
</table>

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><th>Property/ Farm Name</th><th>Claimant (s)</th><th>KRP(s)</th><th>Claim Status</th></tr>
<tr><td>Remainder of the farm Draailoop 430 LS</td><td>Moeketse Ga Chatleka</td><td>693</td><td>Research Report Approved</td></tr>
<tr><td></td><td>Batlokwa Tribe</td><td>2336</td><td>Dismissed</td></tr>
<tr><td>Portion 0 of the farm Bethel 431 LS</td><td>Matjuda Family (EL Matjuda & RM Matjuda)</td><td>536</td><td>Research Report Approved</td></tr>
<tr><td>Portion 1 of farm Kaffernek 465 LS</td><td>Mokorowane Community</td><td>690/9342</td><td>Research Report Approved</td></tr>
<tr><td>Reminder and Portion 1 of the farm Makoppa 466 LS</td><td rowspan="2">Dithakone Community</td><td rowspan="2">5564</td><td rowspan="2">Research Report Approved</td></tr>
<tr><td>Portion 1 of the farm Klipput 425 LS</td></tr>
</table>
The comment received during scoping, was from a Mr Motz Ntimo and Mr Motshewa Matimolane, the latter response indicated that he is a representatives of the Chatleka CPA, it's assumed that they do represent Moeketse GA Chatleka (identified as the land Claimant by the Decision Making Authority). Mr Mtimo indicated that he represented a CPA, but did not indicate which CPA he represents. It must be noted has not been made clear whether or not the Chatleka CPA has the authority to comment on behalf of Dithakone Community or the Matjuda Family. No further comments were received during the public participation period on the Draft Environmental Impact Report.
Appendix G1e- Mrs Megan Dennis of Mulilo contacted The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), via telephonic communication, on 22 September 2025, to enquire on their availability to have a meeting to address the land claims matter, and obtain contact details for the Claimants, however Mrs Dennis confirmed that the following outcome was obtained:
"…we were advised not to engage directly with the claimants at this stage.
</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		The Department's primary concern is that such engagement could create an expectation that the claim will be finalized soon and in the claimants' favour. They emphasized that the process is extensive and can often take several years to conclude. To avoid misunderstandings and potential disputes if the claim is not successful, the Department recommended that we refrain from direct engagement with the claimants for now.". Despite attempts at contacting the Land Claims Department to receive this correspondence in writing, no response has been received. Considering the above and the comment received: • The Claimant as identified have been contacted to the EAPs and Applicants best ability. • The Applicant confirms that the decision maker on the land claims matter is The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), all measures have been taken to engage with this decision maker. • It is understood that the matter is being addressed by this the Commission in line with the Restitution of Land Rights Act, 1994 (Act 22 of 1994), furthermore, the decision maker has indicated that there has been no formal issue of success of the land claim, to the Claimant, and the decision can take years. Further to this the decision maker/Commission has not objected to the development, but have instructed the applicant to not directly contact the Claimant/s. • Mr Ntimo comment indicates that the way forward is "*Our communities do not oppose solar development in principle; we oppose the notion that it can be planned and implemented without our participation and prior consent. We resist the assumption that empowerment*

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		means leasing ancestral land to outside developers while remaining peripheral to the long-term benefits." Claimants have been provided with equal opportunity as all I&AP's to provide comment, and did not comment in the DEIA public participation. Prior consent is not required from the Claimants, as the Commission has yet to finalize the decision on the land claim, therefore the current landowner and title deed holder, remains the landowner. Permission has been granted from the landowner (Appendix G2). • This comment was received during the Scoping Phase. The Final Scoping CRR and the Draft EIAr was shared with the Claimant, however no further comments have been received from the Claimant. The awarding of an Environmental Authorisation does not constitute the right to construct and must meet other land permit requirements at which point this matter will be properly addressed and formalized. The land claims letters include the following: ***Note that the property in question must not be disposed of, sold, or leased without express permission from the Office of the Regional Land Claims Commissioner: Limpopo.*** Considering this, the Applicant agrees to the following condition: "Should the Claimant be awarded a successful Land Claim by The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo), (decision making authority), and should: • this decision not be subjected to a valid appeal; • and an EA awarded for the affected properties, in terms of this application.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		the Applicant will undertake to engage with the successful Claimant as a valid landowner and negotiate an option to lease." Notwithstanding the above, it is also important to note that in terms of Regulation 39(2)(c) of the 2014 EIA Regulations as amended, landowner consent is not required for strategic integrated projects as contemplated in the Infrastructure Development Act, 2014. Kindly note that this project has been classified as a strategic integrated project. Please refer to Appendix G1f for a letter from Infrastructure SA confirming the project as a SIP.
	The letter dated 14 November 2024 from the Office of the Land Claims Commissioner: Limpopo is hereby noted. However, the CA advises that meeting be convened with the representatives of the affected communities and the representatives from Office of the Land Claims Commissioner: Limpopo.	**Applicant Response:** As per the response provided above, Appendix F2 . Despite attempts at contacting The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo) to receive this correspondence in writing, no written response has been received. However, in none of the correspondences (Appendix G1b – G1e) did The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo) object to the proposed development, but did verbally instruct the applicant to not directly contact the Claimants. Notwithstanding this advice from the Commission on Restitution of Land Claims' Limpopo Regional Office, in an abundance of caution and in order to ensure legally defensible procedural fairness, the Applicant's EAP engaged with the CPA at all material stages of the environmental assessment process. Notwithstanding those engagements, the CPA saw fit not to provide any comments during the EIA phase. That omission by the CPA cannot be directly or indirectly attributed to the EAP or to the Applicant. As an instruction has been given by the decision maker on this matter, to not engage, the Applicant could not arrange this meeting, but did ensure that to

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		comply with the EIA Regulations, 2017 (as amended), the CPA was included as an I&AP. Further to this, the matter has been raised and addressed in the EIAr, and measures put in place should the claim be formally approved by the decision maker.
	The Department submits that should the final EIAr be submitted without the outcome of consultation or proof that the abovementioned affected parties were consulted, it would be considered as non-compliance with the requirements of this letter and the EIA Regulation, 2024 as amended.	**Applicant Response:** As discussed above, The Commission on Restitution of Land Claims (Office of the Regional Land Claims Commissioner: Limpopo) has acknowledged that the claim is being dealt with under a process in line with the Restitution of Land Rights Act, 1994 (Act 22 of 1994), which is beyond the mandate of the DFFE. Further to this it has been acknowledged that the Claimant has not been awarded the land claim, formally, and this decision may take years to conclude and have instructed the applicant to not directly contact the Claimants. However, consideration has been taken in this EIA, in compliance with Chapter 1, Section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998) (as amended). The Principles of NEMA have been adhered to, as follows: - The matter has been acknowledged as a key consideration. - Every attempt has been made to contact the Claimants' representative organisation (including the CPA) and to engage with the decision-making authority with jurisdiction over land claims. Including all parties in the I&AP process and allowing for opportunity for all parties to have input in the process. - Measures have been put in place, should the Land Claim be successful. The EIA Regulations require that that social and environmental matters be consider and addressed, as is the case here. However, the resolution of the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		matter is to be dealt with under the Restitution of Land Rights Act, 1994 (Act 22 of 1994), in a separate process. This process has been recognized, the Claimant and decision making authority notified and informed of the EIA Process, and should the Land Claim be successful (and not subjected to a valid appeal), and an EA awarded, the Applicant will undertake to engage with the successful Claimant as a valid landowner. This application cannot be prejudiced by the outcome of this matter, as it falls under the purview of a separate decision-making authority and is already involved in a separate application process. Until the land claim is resolved by the relevant decision maker (which is not the DFFE), the Claimant cannot be granted or recognized as having landowner rights by the applicant, this EIA Process or the DFFE. However, the Claimants' specifically (the CPA) has been included in all notifications pertaining to this process, and the CPA's failure to deliver any comments, notwithstanding formal notification to it of its right to do so on its members' behalf, does not amount (and cannot be taken) to constitute a procedurally unfair public participation process. The EAP and the Applicant ensured a procedurally fair public participation process at all material stages of the environmental assessment. In addition, the final EIR considered, addressed, and sets out a condition recommended to be included in the Environmental Authorisation, if awarded, ensuring that if Applicant must follow through with landowner engagement should the Land Claim be formally approved.
	Please ensure that all comments from all identified and relevant competent authorities as well as stakeholders have been responded to, addressed and incorporated to the EIAr. The identified stakeholders must include but are not limited to the Vhembe Biosphere Reserve (VBR) NPC-info@vhembebiosphere.org, Department of Forestry, Fisheries and the Environment (DFFE): Protected Areas Planning and Management	All parties listed by the Department in this section as well as those listed in the Departments comment and acceptance of scoping report were registered as I&AP's and provided with an opportunity to comment on both the Draft Scoping Report and Draft Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Effectiveness and Biodiversity Conservation Directorates (BCAdmin@dffe.gov.za), Makhado Local Municipality, Vhembe District Municipality, Limpopo: Department of Economic Development, Environment and Tourism (LEDET) EIA and Biodiversity Sections, Limpopo Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation (DWS), Wildlife and Environment Society of South Africa (WESSA), Birdlife South Africa, Vulpro, South African Civil Aviation Authority (SACAA), South African Radio Astronomy Observatory (SARAO), Square Kilometer Array (SKA), Air Traffic and Navigation Services (ATNS), Endangered Wildlife Trust (EWT), Eskom, SA National Defence Force and the relevant heritage authorities.	Please note that in terms of regulations, should an I&AP not provide comment during the allowable comment period, then they would be deemed to not have any comment.
	Ensure that all languages used in the area are considered during PPP.	In terms of the language policy of NEMA, English was utilised as the primary language for communications. During the comment period, no limitations were identified by I&AP's nor the competent authority.
	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended. A Comments and Responses trail report (C&RR) must be compiled, continuously updated throughout the EIA process for this proposed development starting with the draft SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	Please refer to section 8 of the EIR as well as appendices F1 -F7, which shows how the public participation complies with of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.
	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 comments received by I&AP's are included in Appendices F5 and F7. All comments are also captured verbatim and responded to in detail in the Comments and Responses report in appendix F2.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof must be submitted to the CA of the attempts that were made to obtain comments.	Proof of correspondence with stakeholders including the attempts to obtain comments are included in Appendices F4 and F6
	Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30-day review and comment period.	These details are included in section 8 of this report.
	(f) Specialist Assessments	
	The findings of the Terrestrial Biodiversity Assessment, Aquatic Biodiversity Assessment, and Avifaunal Specialist assessment are hereby noted. However, these reports must be submitted to DFFE' s Biodiversity Mainstreaming-BCAdmin@dffe.gov.za, LEDET – EIA and Biodiversity Sections, Birdlife SA, Vulpro for comments. Their comments must be addressed, responded to and be incorporated in the final EIAr.	The Departments Biodiversity Mainstreaming Directorate were provided with an opportunity to comment on both the Draft Scoping Report as well as the Draft Environmental Impact Report. The Biodiversity mainstreaming directorate did acknowledge receipt of the invitation to provide comment, but at the time of submission of this Final Environmental Impact Report, no comment was received. Should such a comment be received during the decision making period, this will be provided to the Case Officer.
	The Heritage Impact Assessment report must be submitted to SAHRA for comments. Their comments must be addressed, responded to and incorporated in the EIAr.	The Heritage Impact Assessment was submitted to SAHRA on 13 September 2025 (Case ID 25894). Please refer to section 3.1.8 for proof that this documentation was submitted to SAHRA. At the time of submission of this Final EIR, final comment had not been received from SAHRA.
	(g) Environmental Management Programme	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Part B: Section 2 of the generic EMPrs for the powerline and substation must be completed, and a copy of an originally signed generic EMPrs must be submitted with the EIAr. Please ensure that Point 7.1.1 in Part B: Section 2 match the details of the Applicant as contained in the amended application form and EIAr.	The Generic EMPr's attached to the EMPr in Appendix I, are signed by the applicant, and the name and contact details depicted match those in the revised application form in Appendix J.
	If any specific environmental sensitivities/attributes are present on site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage such impacts, those impact management outcomes and actions must be included in Section C of the generic EMPrs.	All specific Environmental Management Outcomes and Actions suggested by the specialists as summarised in section 7 below have been included in the EMPr in appendix H as well as the Generic EMPR's for substation and powerline infrastructure appended to the Main EMPr.
	The EMPr for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.	The introduction section in the EMPr in Appendix H includes a table which details compliance with Appendix 4 of the EIA regulations as amended.
	(h) Cumulative Assessment	
	Noting that this project is part of the cluster and there may 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:	
	The cumulative impacts assessment must consider the existing, authorised but not yet developed, the proposed similar development and powerline in the area.	The cumulative impact assessments consider: 1. The proposed project in conjunction will the other 3 projects forming part of the cluster. 2. The proposed project in conjunction with all other projects within a 30km radius.
	Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the	All specialists have included mitigation measures to address cumulative impacts of the proposed facility. This includes both mitigation measures to address the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	cumulative effects of the four projects in this cluster as well as those with other projects within the greater area.
	The cumulative impacts significance rating must also inform the need and desirability of the proposed development.	The significance of cumulative impacts have been considered and included as part of the need and desirability of the project. Please refer to section 2.9 in the EIR for further details in this regard.
	A cumulative impact environmental statement on whether the proposed development must proceed.	The cumulative impact Statement is included in section 6.11 and Section 6.13.
	General	
	Where the proposed activity does not include operational aspects, please ensure that the final EIAr includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring requirements finalised, as per Appendix 3(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended.	This is included in section 2.12 of the EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: - Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. - Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	The submission of this Final EIR is within the timeframes outlined in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014. All comments received during both of the comment periods have been included.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, 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, and an EMPr, 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."	No significant changes or new information is included in the Final EIR. The changes between the Draft and Final EIR are mostly related to incorporation of the comments received on the Draft EIR and inclusion of all the relevant proof of public participation that was undertaken on the Draft EIR.
	Should there be significant changes or new information that has been added to the EIAr's or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the reports, and an EMPr, 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 application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in sub-regulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.	No significant changes or new information is included in the Final EIR. The changes between the Draft and Final EIR are mostly related to incorporation of the comments received on the Draft EIR and inclusion of all the relevant proof of public participation that was undertaken on the Draft EIR.
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	The EAP and the Applicant are aware of the timeframes outlined in regulation 23 and the submission of this Final EIR is within the allowable timeframes.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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 and EAP are aware of this requirement.
19/09/2025 Via Email Ms Thulisile Nyalunga - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **MAKOPPA SOLAR PV**	**(a) Listed Activities and application form**	
	(i) Please expand the description of each of the listed activities applied for and relate their relevance to the proposed development. This description, which must also be provided in the EIAr, must be detailed in indicating what is being proposed, with the proposed thresholds and capacities. This must be done for all listed activities applied for.	The relevant thresholds and detailed descriptions are included in the description for each of the listed activities as reflected in the revised application form in Appendix J as well as in section 3.1.2.
	(ii) Activity 56 of Listing Notice 1 and Activity 12 of Listing Notice 3 have been removed from the draft EIAR. Please update the application form to reflect this change. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.	Activity 56 of Listing Notice 1 and Activity 12 of Listing Notice 3 are no longer applicable to the preferred layout and technology alternative. These activities have been removed from the revised application form in Appendix J as well at the
	(iii) The relevant authorities must be continuously involved throughout the environmental impact assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.	Please refer to appendices F4 and F6.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(b) Specific Comments	
	i) The nearest protected area i.e. Blijdschap Private Nature Reserve is located approximately 8,5km north of the proposed development site. You are required to obtain comments from the Blijdschap Private Nature Reserve.	The protected areas directorate at DFFE was provided with a an opportunity to comment on the proximity of the project to the Blijdschap Private Nature reserve. At the time of submission of this Final EIR, comment had not yet been received from this directorate. The Terrestrial Biodiversity specialist did however confirm that the proposed project would not impact this protected area in any way.
	(ii) It has been noted that the proposed associated infrastructure includes water storage tanks and pipelines. However, the draft EIAr provides no assessment of the impacts of the proposed pipeline. You are required to assess the impacts of the proposed pipeline, specify the size and length of the proposed pipeline and ensure that the pipeline does not trigger any listed activity as no listed activity related to a pipeline has been applied for.	Kindly note that pipelines and water storage tanks referred to are limited to rainwater storage tanks (typical JoJo type Tanks) and plumbing reticulation at the Operations and Maintenance building. The Pipeline, which is essentially plumbing between the rainwater storage tank and the O&M building will not trigger any Listed Activity and is situated entirely within the area depicted for O&M buildings on the Site Layout Plan in Appendix D1.
	(iii) A BESS has been applied for as part of this application. You are required to provide the height and capacity of the proposed BESS.	The proposed BESS will have a storage capacity of up to 1200MWh and a maximum height of 6m.
	(iv) Please provide technical details for the proposed facility with the components and descriptions and or dimensions of the project not limited to the BESS, onsite switching station, IPP substation, O&M complex, access road and internal roads, temporary storage, laydown area, etc.	Please refer to the tables above.
	(v) On pages 26-27, a series of questions and answers to demonstrate the need and desirability were provided. You are requested to summarize the need and desirability and present it in a paragraph form.	The need and desirability outlined in section 2.9 has been summarised in a single paragraph.
	(vi) It is indicated in the report that Grid connection alternative 1 is the preferred option at this stage and that this could change depending on the outcome of	As outlined in section 2.11.2, the Alternative 1 powerline was selected as the preferred alternative, as it is the shortest (i.e. will result in less disturbance) and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the environmental procedure. You are requested to demonstrate why alternative 1 is preferable and the other alternatives are not viable. Please note Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, which requires that "if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such must be included in the final EIAr", in this regard.	is aligned adjacent to existing powerline infrastructure, thus reducing landscape fragmentation.
	(vii) A description of the process followed to reach the preferred alternative within the site as per Appendix 1(3)(1)(h)(i) of the EIA Regulations (2014), as amended, must be incorporated into the final EIAr.	Please refer to section 2.10 and 2.11.
	(viii) It is indicated in the report that no technology alternatives are under consideration in this application. Please investigate the BESS technology alternatives. The same approach as alluded to in (vi) above must be followed.	The reference to technology alternatives relates to alternative generation technologies (i.e. that PV is the only generation technology under investigation). BESS technology alternatives (Solid State, Redox Flow and Liquid metal technologies) were considered and the risk associated with each considered (Please refer to the BESS risk assessment compiled by ISHEcon attached in Appendix E8). The preferred BESS technology was determined to be: Solid State Lithium or Sodium Ion technologies. This will be containerised technology and no assembly of individual components will take place on site.
	(c) Screening Tool Report	
	(i) The screening tool report (page 1 of 15) requires a compiler signature. Please submit the signed screening report along with the final EIAr.	The screening tool attached in Appendix H includes the EAPs signature.
	(d) Coordinates	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(i) Only the centre point coordinates for the BESS were provided in the report. Please provide four corner coordinate points for the proposed BESS, IPP substation, Eskom switching station, temporary laydown areas and all other structures that may be the subject of this application process.	Please refer to the co-ordinate tables above.
	(ii) Please ensure that the coordinates provided also include the start, middle and end points (and bend points if there are any) of the proposed pipeline and access and internal roads. All coordinates must be in degrees and decimal minutes.	Start, middle and end points of all linear infrastructure are included in the table above.
	(e) Locality, Site Layout and Sensitivity Maps	
	The final EIAr must provide the following:	
	(i) A clear description of all associated infrastructure. This description must include, but is not limited to the following:	
	The proposed PV facility, Battery Energy Storage System (BESS), pipeline, PV Inverter, including their entire footprint;	All infrastructure is depicted on the site layout plan attached in appendix D1.
	Internal roads; and	Internal roads are depicted on the site layout plan attached in appendix D1.
	All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	All supporting infrastructure is depicted on the site layout plan attached in appendix D1.
	(ii) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:	All no go areas and buffers are depicted on the site layout plan attached in appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Permanent laydown area footprint;	The laydown area is depicted in the site layout plans attached in appendix D1. Please note that as per the EMPr, a 1ha permanent laydown has been allowed for within the extent of the temporary laydown.
	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);	The width of the internal and access roads are depicted in in the site layout plan attached in Appendix D1 and detailed in the technical descriptions above. Incompliance with the EMPr (Appendix I) the Construction phase roads and the operational phase roads will be developed on the same alignment.
	Wetlands, drainage lines, rivers, streams and water crossings of roads and cables indicating the type of bridging structures that will be used;	All of the delineated water courses and the associated buffers delineated by the aquatic biodiversity specialist have been excluded from the preferred layout alternative. There are instances where access roads and construction tracks need to cross these to cross these delineated watercourses for the purposes of construction and operation of the facility. These crossings form part of the application for water use in terms of the National Water Act(NWA), which has been submitted to the Department of Water and Sanitation. The type of structure for these crossings will most like be a Low level Water Crossing. The final type of structure however will be determined as part of the ongoing process in terms of the NWA.
	The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;	All sensitive environmental features, including no go areas and buffers are depicted on in the site layout plan for the preferred alternative attached in Appendix D1.
	Substation(s) and/or transformer(s) sites, including their entire footprint;	The substation and Transformer sites are depicted in the site layout plan attached in Appendix D1.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Location of access and service roads;	The location of all roads, including internal roads, perimeter roads and access roads is shown on the site layout plan attached in Appendix D1.
	Connection routes (including pylon positions) to the distribution/transmission network;	The position of pylons cannot be determined until such time as the detailed design is undertaken. The pylon positions are determined by Eskom in consultation with the project engineers after the Budget Quote Process is completed. This budget quote process can only take place once the project receives an environmental authorisation. For the purposes of this environmental application, it should be noted that the pylons will all be within the proposed grid connection corridor and will be situated more than 32m from any of the delineated watercourses.
	All existing infrastructure on the site, especially railway lines and roads;	There is no railway infrastructure present on the proposed footprint for the facility. All other existing infrastructure, most notably roads and Eskom Powerline infrastructure is depicted on the Site Layout Plan attached in Appendix D1.
	Buffer areas;	All buffer areas recommended by the participating specialists (Aquatic Biodiversity, Avifauna and Visual) are included.
	Buildings, including accommodation;	All buildings are reflected in the Site Layout Plan attached in Appendix D1. No accommodation is proposed as part of this application.
	All “no-go” areas; and	All no go areas along with the buffers on the no go areas are depicted in the Site Layout Plan attached in Appendix D1.
	A north arrow and legend/key, to enable the Department to interpret the layout map.	The site layout plan attached in appendix D1 includes a North Arrow.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(iii) An environmental sensitivity map indicating sensitive areas and features identified during the assessment process.	The site layout plan attached in Appendix D1 includes all sensitive features and buffer areas recommended by the specialists.
	(iv) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(f) Public Participation Process	
	(i) The final EIAr must comply with all conditions of the acceptance of the scoping report dated 21 July 2025. Please ensure that the Department's comments are addressed in the report as well as in the comments and response table.	Please refer to the table above demonstrating compliance with the Departments Acceptance Letter.
	(g) Cumulative Assessment	
	(ii) Please ensure that the final EIAr includes proof that the key stakeholders received written notification of the proposed activity, and the draft EIAr. Comments made by interested and affected parties (I&APs) must be comprehensively captured and responded to clearly and fully in the comments and response report.	Please refer to Appendices F4 and F6.
	(i) Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:	Cumulative impacts have been assessed in section 6.11. A cumulative map showing all projects within a 30km radius is included in appendix D2.
	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.	All specialists have included mitigation measures to address cumulative impacts of the proposed facility. This includes both mitigation measures to address the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	cumulative effects of the four projects in this cluster as well as those with other projects within the greater area.
	The cumulative impacts significance rating must also inform the need and desirability of the proposed development.	The significance of cumulative impacts have been considered and included as part of the need and desirability of the project. Please refer to section 2.9 in the EIR for further details in this regard.
	A cumulative impact environmental statement on whether the proposed development must proceed.	A cumulative impact statement is included in section 6.11.
	(h) Specialist Studies	
	(i) It is brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will apply. Please indicate in the EIAr whether or not the protocols were applied or provide the necessary proof where the exception applies.	All relevant specialist studies included in Appendices E1 – E8 of the EIR have been prepared in terms of the 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. Please not that in terms of these studies, the Terrestrial Biodiversity, Plant Species, Animal Species, Aquatic Biodiversity and Agricultural assessments have been undertaken in terms of the relevant protocols. All other studies, namely the Heritage Impact Assessment, Visual Impact Assessment, Social Impact Assessment and BESS Risk Assessment.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Please note further that the protocols, if applicable, require certain specialists to be SACNASP registered.	
	(ii) For ease of reference, please provide a table in the EIAr, indicating the studies required by the Department's screening tool, a column indicating whether these studies where undertaken or not, a column with the requisite motivation if a study was not undertaken (confirmed by a site sensitivity verification, where the protocols are applicable and require such); a column(s) indicating whether the protocols are applicable and if they were complied with for the relevant study.	Please refer to section 5.11 for the table indicating studies required by the Department's screening tool and whether these studies where undertaken or not.
	(i) Environmental Management Programme	
	(i) The generic EMPrs are not signed by the applicant. The signed generic EMPrs must form part of the final EIAr.	The generic EMPr's for both powerline and substation infrastructure as attached in Appendix I have been signed by the applicant.
	(ii) Please ensure that all recommended mitigation measures recorded in the EIAr and specialist studies are carried through to the site-specific section of the Generic EMPrs. The EMPrs must also include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process, overlaid with the development footprint site map.	The recommendations recorded in the EIR (Section 7) have been incorporated into the EMPR as well as the Generic EMPr's for powerline and substations as attached in Appendix I.
	(iii) Please also include in the EMPr, the recommended frequency for the auditing of compliance with the conditions of the EA and EMPr for the construction, post-construction monitoring, and operational (where relevant) phases of the activity, and for the submission of such compliance reports to the competent authority.	The recommended frequency for auditing is included in section 15.2 of the EMPr as attached in Appendix I. In terms of this section, In addition to the internal environmental audit (which takes place as part of the monthly environmental control report), the following external audits are required to be undertaken: - Annually during the construction phase.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		- Within 1 month of completion of construction activities. - Within 1 year of commencement of operations. - Every 3 years thereafter.
	(j) Undertaking of an Oath	
	(i) Please ensure that the final EIAr includes an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	This is included in the Revised Application form in Appendix J.
	General	
	Where the proposed activity does not include operational aspects, please also ensure that the final EIAr includes the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised, as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	This is included in section 2.12 of the EIR. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: - Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. - Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	You are reminded that the final EIAr to be submitted to this Department must comply with Regulation 23 of the NEMA EIA Regulations, 2014, as amended. The EIAr must contain all information set out into the Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.	The submission of this Final EIR is within the timeframes outlined in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014. All comments received during both of the comment periods have been included.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, 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, and an EMPr, 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."	The submission of this Final EIR is within the timeframes outlined in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014. All comments received during both of the comment periods have been included.
	Should there be significant changes or new information that has been added to the EIAr's or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the reports, and an EMPr, 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 application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.	No significant changes or new information is included in the Final EIR. The changes between the Draft and Final EIR are mostly related to incorporation of the comments received on the Draft EIR and inclusion of all the relevant proof of public participation that was undertaken on the Draft EIR.
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	The EAP and the Applicant are aware of the timeframes outlined in regulation 23 and the submission of this Final EIR is within the allowable timeframes.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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 EAP and the Applicant are aware of the timeframes outlined in regulation 23 and the submission of this Final EIR is within the allowable timeframes.
12/09/2025 Via Email Nompumelelo Lekalakala – DFFE Directorate: Biodiversity Conservation	DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 22nd of August 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). 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@dAe.gov.za for attention of Mr Seoka Lekota.	Duly noted.
04/09/2025 Via Email Shirley Hlabisa – MTN South Africa: Way-Leave Co-ordinator	Please send a KML file.	Please see attached a KML file for the proposed Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV as requested.
22/08/2025 Via Email	Can I kindly request a kmz indicating the project locations below? We are happy to accept a kmz that just indicates the boundary of the projects below.	Please see attached a KMZ file for the proposed Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV as requested.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
Rochel Naidoo – Bluecrane Environmental		

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
COMMENTS RECEIVED ON THE FINAL SCOPING REPORT		
23/07/2025 Via Email Ms Zamalanga Langa - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment: **BETHEL SOLAR PV**	**(a) Listed Activities**	
	(i) For activities listed under Listing Notice 3, please ensure that the specific name of the protected area in proximity to the proposed project is clearly indicated in the activity description.	The activity descriptions for the activities applied for under Listing Notice 3 have been amended to indicated the specific name of the protected area in proximity to the proposed project. The nearest protected area is the Blijdschap Private Nature Reserve located approximately 8,5km north of the proposed development site.
	(ii) 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. Also ensure to choose the correct and relevant sub listing. Additionally, note that the onus is 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.	Kindly refer to Section 3.12 of the Draft Environmental Impact Report which includes a table of all the listed activities associated with the proposed development, as stipulated under 2014 Regulations 327, 325 and 324.
	(iii) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.	Kindly refer to Section 6 and Section 7 of the Draft Environmental Impact Report which includes the Assessment of Impacts as well as

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		the Management and Mitigation of Impacts for the listed activities applied for.
	(iv) 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.environment.gov.za/documents/forms.	An amended Application Form will be submitted with the Final Environmental Impact Report to include the complete list of Listed Activities applied for.
	(v) The relevant authorities with jurisdiction in respect of geographically designated areas in terms of GN R. 985 (Listing Notice 3) Activities must be continuously involved throughout the environmental impact assessment process. Written comments (or proof of consultation) must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected Critical Biodiversity Areas and protected areas are fully assessed in the EIAr.	Kindly refer to Appendix F1 of the Draft Environmental Impact Report for the Stakeholder Register for this project. All comments received thus far are included as Appendix 5 as well as in the Comments & Responses Report (Appendix F2). All correspondence with the Competent Authority are included in Appendix G1. Please also refer to Appendix D1 – Site Layout Plans, which includes a graphical representation of the proposed development within a provincial as well as national context. The potential impacts of Critical Biodiversity Areas as well as Protected Areas have been assessed and included in the specialist studies attached as Appendix E.
	(b) Public Participation	
	(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr.	Kindly refer to Appendix F2 of the Draft Environmental Impact Report for the most up to date Comments & Responses Report, as well as Appendix F5 for all the comments received on the Draft Scoping Report. All comments and correspondence received on the Draft Environmental Impact Report will be included as Appendix F7 in the Final Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(ii) Please ensure that all issues raised, and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final 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.	Kindly refer to Appendix F2 of the Draft Environmental Impact Report for the most up to date Comments & Responses Report, as well as Appendix F5 for all the comments received on the Draft Scoping Report. All comments and correspondence received on the Draft Environmental Impact Report will be included as Appendix F7 in the Final Environmental Impact Report. Proof of notification of the availability of the Draft Scoping Report and the Draft Environmental Impact Report will be include as Appendix F4 and F6 respectively with the submission of the Final Environmental Impact Report.
	(iii) Copies of comments received must be submitted to the Department. Copies of responses provided to all comments received must also be submitted. In addition, the EIAr must also include proof that responses were sent to Interested and Affected Parties.	Kindly refer to Appendix F2 of the Draft Environmental Impact Report for the most up to date Comments & Responses Report, as well as Appendix F5 for all the copies of the comments received on the Draft Scoping Report along with copies of the responses sent to I&APs . All comments and correspondence received on the Draft Environmental Impact Report will be included as Appendix F7 in the Final Environmental Impact Report.
	(iv) A Comments and Response trail report (C&R) must be submitted with the final EIAr. 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 Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to I&AP’s comments. Please ensure that the comments and trail	The comments and responses report attached in Appendix F2 responds to each comment individually in detail in the format requested by the Department. Response to the Departments acceptance of the Final Scoping Report is included in this comment and responses report. This comments ant responses report will be updated to include any comments received on the Draft Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	report is in the format provided by the department. This must include all comments received on this application.	
	(v) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.	Duly noted. Comments from I&APs are arranged by date received in the Comments & Responses Report attached as Appendix F2 to the Draft Environmental Impact Report.
	(vi) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.	Section 41 in Chapter 6 of regulation 982 details the public participation process that has to take place as part of an environmental process. The table provided in Section 8 of the Draft Environmental Impact Report provides a quick reference to show how this environmental process has or intends to comply with these legislated requirements relating to public participation. Please also refer to **Appendix F**, where all evidence of public participation is included.
	(vii) The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.	The EAP will engage with the Department during the comment period on the Draft Environmental Impact Report to arrange a suitable date and time for the site inspection.
	(viii) All evidence of public participation must be included in the final EIR including site notices and newspaper articles.	Duly noted. All evidence of public participation undertaken thus far are included as Appendix F to the Draft Environmental Impact Report.
	(c) Cumulative Assessment	
	(i) The EIR must include cumulative impact assessment for all identified and assessed impacts and must be refined to indicate the following.	Kindly refer to Section 6.11 of the Draft Environmental Impact Report for the assessment of Cumulative Impacts.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	➢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.	
	(d) Specialist assessments	
	(i) The 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 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,	Kindly refer to Appendix E1 – E8 for all the specialist studies undertaken for the proposed development. Please also refer to the following sections in the Draft Environmental Impact Report: • Section 1.3 – Assumptions & Limitations; • Section 2.11.4 – The no-go Alternative; • Section 7 – Management and Mitigation of Impacts; • Section 6.11 – Cumulative Impacts.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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. 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.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	A cumulative impact environmental statement on whether the proposed development must proceed.	
	(ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and were necessary, include further expertise advice.	No contradicting recommendations were made by the appointed specialists.
	(iii) 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.	All specialist studies were undertaken in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998.
	(iv) The screening tool output: ➢ 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. ➢ 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.	Kindly refer to Section 5.11 of the Draft Environmental Impact Report for the Site Sensitivity Verification. Please also refer to Appendix H for the Screening Tool Reports for the proposed development.
	(v) Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP	Kindly refer to Appendix G6 for the Specialist CVs that undertook the specialist studies for the proposed development.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	registered for e.g.an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatics sciences.	
	(vi) Please be reminded that section 2(3) of NEMA requires developments to be socially, environmentally and economically sustainable, while section 2(4)(i) of NEMA requires the social, economic and environmental impacts of activities, including disadvantages and benefits, to be considered, assessed and evaluated.	Kindly refer to Section 5 of the Draft Environmental Impact Report for the Site Description and Attributes separated per discipline as well as Section 6 for the Assessment of Impacts also separated per discipline. Please refer to Section 7 for the Management and Mitigation of Impacts as recommended by each specialist study undertaken for the proposed development.
	(vii) Specialist findings and recommendations must be separated per project.	
	(viii) The following Specialist Assessments will form part of the EIAr: Specialist Study Agricultural Compliance Statement Landscape/Visual Impact Assessment Archaeological and Heritage Impact Assessment Palaeontology Impact Assessment Terrestrial Biodiversity Impact Assessment Aquatic Biodiversity Impact Assessment Avian Impact Assessment Civil Aviation Compliance Statement Defence Compliance Statement	Kindly refer to the following appendices to the Draft Environmental Impact Report: Appendix E5: Agricultural Compliance Statement; Appendix E6: Landscape/Visual Impact Assessment; Appendix E4: Archaeological and Heritage Impact Assessment; Appendix E4: Palaeontology Impact Assessment; Appendix E1: Terrestrial Biodiversity Impact Assessment (inclusive of botanical and faunal assessments); Appendix E3: Aquatic Biodiversity Impact Assessment; Appendix E2: Avian Impact Assessment; Appendix E7: Socio-Economic Impact Assessment. The applicant has submitted an obstacles investigation to the South African Civil Aviation Authority (SACAA). At the time of submission of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Geotechnical Assessment Socio-Economic Impact Assessment Plant Species Compliance Statement Animal Species Impact Assessment	this Draft Environmental Impact Report, a response on this application had not yet been received from the SACAA. This will be included in the Final Environmental Impact Report should it be received prior to the final submission. The EAP will continue to actively engage with the Department of Defence regarding the Defence Theme. A detailed geotechnical assessment can only be undertaken once the final equipment suppliers have been selected and the detailed designs completed.
	(e) Locality, Site Layout and Sensitivity Maps The draft EIAr must provide the following maps that includes:	
	(i) A clear description of all associated infrastructure. This description must include, but is not limited to the following: ➢PV facility and all associated infrastructures such as, substation, access road etc; ➢Internal road infrastructure; and; ➢All supporting onsite infrastructure such as laydown area and auxiliary buildings, etc.	The clear description of the infrastructure is included in the technical checklist at the beginning of this report. Internal roads infrastructure; and all supporting onsite infrastructure are depicted in the solar facility layout plans for the preferred alternative attached in appendix D1.
	(ii) All necessary details regarding all possible locations and sizes of the proposed project infrastructure.	The co-ordinates of all infrastructure proposed as part of this project are included in the tables at the beginning of this report. The details regarding the relevant sizes of the proposed solar PV infrastructure is included in Technical details checklist at the beginning of the report and in section 2. Please also note, that an additional table detailing

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		the technical details in the format requested by the competent authority is also included on page 9 of the report.
	(iii) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following: ➢ Permanent laydown area footprint; ➢ 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, streams, and water crossings 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, ESA, heritage sites, wetlands, drainage lines, etc. that will be affected by the facility and its associated infrastructure; ➢ Substation(s) 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, ;	The Copy of the final preferred layout as well as the preferred layout overlaid onto a sensitivity map is attached in Appendix D1. All proposed infrastructure as well as relevant existing infrastructure on the properties is shown in these layout plans. Please note, that should the outcome of the public participation process require the need for this preferred layout plan to be revised, such a revised plan will be included in the Final EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	➢ All "no-go" areas; and ➢ A north arrow and legend/key, to enable the Department to interpret the layout map.	
	(iv) An environmental sensitivity map indicating environmentally sensitive areas and features identified during the assessment process.	The environmental sensitivity map, which includes all no-go areas and buffers identified by the specialists overlain onto the final preferred layout map is attached in Appendix D1.
	(v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(f) Environmental Management Programme (EMPr)	
	(i) It is drawn to your attention that for the overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 of the EIA 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 Programmes (EMPr), contemplated in Regulations 19(4) must be used over and above the EMPr for the facility. Accordingly, there needs to be a generic EMPr for the substation, powerline and separate EMPr for the facility.	Kindly refer to Appendix I of the Draft Environmental Impact Report which includes the EMPr for the PV facility, a generic EMPr for the on-site substation as well as a generic EMPr for the overhead powerline. The Applicant will sign the generic EMPr upon submission of the Final Environmental Impact Report as there may still be amendments required based on the outcome of the public participation period of the Draft Environmental Impact Report.
	(ii) Please ensure that the mitigation measures specified in the EIAr and specialist reports are also incorporated into the EMPr.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report. Please refer to Section 3 of the EMPr outlined the compliance of the EMPr with Section 24N of NEMA.
	(iii) In addition, ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(iv) Please also include in the EMPr, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent authority.	Please refer to Section 2.14 of the EMPr attached as Appendix I to the Draft Environmental Impact Report for Environmental Audit Frequencies.
	(v) EMPr must include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	Kindly refer to the Site Layout Plans appended to the EMPr as Appendix A which include Environmental Sensitivity Maps superimposed on the site layout.
	(vi) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(vii) EMPr must include 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.	All the Management and Mitigation measures/recommendations provided in the Aquatic Impact Assessment (Appendix E3) are included in the draft EMPr (Appendix I).
	(g) General	
	(i) The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under Annexure 2 below.	Kindly refer to the Technical Checklist in the beginning of the report providing the technical details of the proposed development in the table format as requested.
	(ii) Recommendations of conditions to be included in the EA, must be done per project.	Duly noted.
	(iii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the	Two possible scenarios for the decommissioning are addressed in the EMPr attached in Appendix I.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	proposed infrastructure to more advanced technologies must be indicated.	
	(iv) The EAP must provide landowner consent for all farm portions affected by the proposed project, whether the project component is linear or not, i.e. all farm portions where the access road, solar panels and associated infrastructure is to be located.	Kindly refer to Appendix G2 for the signed Landowner Consent for the Solar PV properties. According to Regulation 39 (1) of the EIA Regulations 2014 [published in Government Notice No. R326 under Section 24(5) and 44 of the National Environmental Management Act (Act No. 107 of 1998)], *"If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.* *(2) Subregulation (1) does not apply in respect of—* *(a) linear activities;"* Since only linear activities are being proposed on the grid connection infrastructure, written consent of the landowners are not required as part of the Environmental Process.
	(v) Please also ensure that the EIAr includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.	Kindly refer to Section 2.12 of the Draft Environmental Impact Report for the Project Programme and Timelines. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		• Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	(vi) Kindly ensure that, the appendices of the EIAr are properly packed and grouped. For example, you must create a folder that relate to public participation process and all information regarding the public participation process must all be included in that folder. The same must be done also to Specialist report, maps, EMPr(s) and other files.	Duly noted.
	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.	Duly noted.
	Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.	Duly noted.
	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.	Duly noted.
23/07/2025 Via Email Mr Lunga Dlova - Chief Directorate: Integrated Environmental Authorisations.	**(a) Coordinates**	
	(i) Please provide coordinate points for the proposed development site (note that if the site has numerous turning points, at each turning point coordinates must be provided) as well as the start, middle and end point of all linear activities (Indicate the position of the proposed	The co-ordinates with all bend points for the preferred PV footprint (layout alternative 3), Centrepoint's for associated infrastructure and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
Department of Forestry, Fisheries and the Environment **DRAAILOOP SOLAR PV**	activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection).	bend points for the preferred grid connection (Grid Connection Alternative 1) is included in the tables above.
	(b) Alternatives	
	(i)Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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 draft EIAr. You are therefore required to provide a motivation should other alternative sites, routes, layouts, and technologies not be considered.	Technology Alternatives for the PV and BESS, Layout Alternatives for the PV and route alternatives for the Grid connection Infrastructure have been considered in this environmental process. Please refer to the discussion on alternatives as included in section 2.11 of this Draft EIR.
	(c)Locality, Site Layout and Sensitivity Maps	
	(i) The draft EIAr must provide the following:	
	-A clear description of all associated infrastructure. This description must include, but is not limited to the following: ➢Internal roads infrastructure; and; ➢All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	The clear description of the infrastructure is included in the technical checklist at the beginning of this report. Internal roads infrastructure; and all supporting onsite infrastructure are depicted in the solar facility layout plans for the preferred alternative attached in appendix D1.
	-All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	The co-ordinates of all infrastructure proposed as part of this project are included in the tables at the beginning of this report. The details regarding the relevant sizes of the proposed solar PV infrastructure is included in Technical details checklist at the beginning of the report

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		and in section 2. Please also note, that an additional table detailing the technical details in the format requested by the competent authority is also included on page 9 of the report.
	- A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following: ➢ Permanent laydown area footprint; ➢ 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, streams and water crossings 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, ESA, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; ➢ Location of access and service roads; ➢ All existing infrastructure on the site, especially railway lines and roads; ➢ Buffer areas; ➢ Buildings, including accommodation; ➢ All "no-go" areas; and	The Copy of the final preferred layout as well as the preferred layout overlaid onto a sensitivity map is attached in Appendix D1. All proposed infrastructure as well as relevant existing infrastructure on the properties is shown in these layout plans. Please note, that should the outcome of the public participation process require the need for this preferred layout plan to be revised, such a revised plan will be included in the Final EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	➢ A north arrow and legend/key, to enable the Department to interpret the layout map.	
	- An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	The environmental sensitivity map, which includes all no-go areas and buffers identified by the specialists overlain onto the final preferred layout map is attached in Appendix D1.
	-A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(d) Public Participation	
	(i) On the comments and response table, you must respond to each issue raised by interested and affected parties and use a clear and readable font. It is preferable to compile a table with three columns for the date of comment, name of organization/I&AP, issue or comment raised, and response from EAP/Applicant/Specialist.	The comments and responses report attached in Appendix F2 responds to each comment individually in detail in the format requested by the Department. Response to the Departments acceptance of the Final Scoping Report is included in this comment and responses report. This comments ant responses report will be updated to include any comments received on the Draft Environmental Impact Report.
	(ii) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the Department of Economic Development, Environment & Tourism (DEDET), Department of Water and Sanitation (DWS), the South African Heritage Resource Agency (SAHRA), Limpopo Province Department of Agriculture and Rural Development, Birdlife South Africa, Limpopo Provincial Heritage Resources Agency, Endangered Wildlife Trust, Eskom Holdings (Pty) Ltd, Makhado Local Municipality, Vhembe District Municipality and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation, Interested and Affected Parties (I&APs).	All of these Departments are included in the I&AP register for this project and were given an opportunity to comment on the Draft Scoping Report (Please refer to appendix F4). These Departments will be provided with a further opportunity to comment on the Draft Environmental Impact Report and proof notifications will be included in Appendix F6 of the Final EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(iii) Please ensure that all issues raised, and comments received on the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final EIAr. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.	Kindly refer to appendix F5 which includes all comments that have been submitted up until the point of submission of this Draft Environmental Impact Report. Any comments received during the comment period on the Draft Environmental Impact Report will be included in Appendix F7 of the Final Environmental Impact Report.
	(iv) A comments and response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments (pre- and post-submission of the draft EIAr) received 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 which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are 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&APs comments.	A comment and responses report in the format outlined by the Department is included in Appendix F2. This will be updated on completion of the public participation process on the Draft Environmental Impact Report.
	(v) Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30-day review and comment period.	Please refer to Section 8.2 of the Draft Environmental Impact Report for the exact dates that the Draft Scoping Report was available for a 30-day review and comment period. The Draft Environmental Impact Report will be available from 22 August – 22 September 2025 for a 30-day review and comment period. Proof of availability if the Draft Environmental Impact Report

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		will be included as Appendix F3 and F6 in the Final Environmental Impact Report.
	(vi) The Public Participation Process must be conducted in terms of the approved public participation plan and Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Section 41 in Chapter 6 of regulation 982 details the public participation process that has to take place as part of an environmental process. The table provided in Section 8 of the Draft Environmental Impact Report provides a quick reference to show how this environmental process has or intends to comply with these legislated requirements relating to public participation. Please also refer to **Appendix F**, where all evidence of public participation is included.
	(e) Specialist assessments	
	(i) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.	All specialist studies included in appendices E1 – E8 are final. These studies may however be revised to respond to any comments that may be received during the comment period on the Draft Environmental Impact Report.
	(ii)Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and were necessary, include further expertise advice.	No contradicting recommendations were made by the appointed specialists.
	(iii) 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"),	All specialist studies were undertaken in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), are in effect. Please note that specialist assessments must be conducted in accordance with these protocols.	
	(f)Environmental Management Programme	
	(i) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the EIA 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 Programmes (EMPr), contemplated in Regulations 19(4) must be used over and above the EMPr for the PV facility. Accordingly, there needs to be a generic EMPr for the on-site substation, a generic EMPr for the overhead powerline, and a third, separate EMPr for the PV facility.	Kindly refer to Appendix I of the Draft Environmental Impact Report which includes the EMPr for the PV facility, a generic EMPr for the on-site substation as well as a generic EMPr for the overhead powerline. The Applicant will sign the generic EMPr upon submission of the Final Environmental Impact Report as there may still be amendments required based on the outcome of the public participation period of the Draft Environmental Impact Report.
	(ii) Please ensure that any specific mitigation measures identified in the EIAr and specialist reports for the on-site substation and powerline are incorporated into the site-specific section of the generic EMPrs.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report.
	(iii) Please ensure that the mitigation measures specified in the EIAr and specialist reports for the PV facility are also incorporated into the EMPr for the PV facility. In addition, please ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report. Please refer to Section 3 of the EMPr outlined the compliance of the EMPr with Section 24N of NEMA.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(iv) Please also include in the EMPrs, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and the submission of such compliance reports to the competent authority.	Please refer to Section 2.14 of the EMPr attached as Appendix I to the Draft Environmental Impact Report for Environmental Audit Frequencies.
	(g) General	
	(ii) Please ensure that the final EIAr includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring requirements finalised, as per Appendix 3(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended.	Kindly refer to Section 2.12 of the Draft Environmental Impact Report for the Project Programme and Timelines. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	(iii) Confirmation of the availability of services (e.g., sewage, water, etc. if required) must be included in the EIAr.	Water required for the construction and operation of Solar PV facility is to be sourced from the Makhado Local Municipality (who will be engaged with to provide confirmation of availability). Should the applicant in the future, wish to utilise groundwater for the purposes of construction or operation of the facility, such use will require a licence in terms of Section 21(a) of the NWA.
	(iv) Should a Water Use License be required, proof of application for a license needs to be submitted.	The freshwater specialist has identified a number of surface water resources within the study site. The Preferred Layout Alternative avoids these features along with the buffer areas identified by the specialist. The proposal does however include infrastructure within

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		the regulated zone of these features and as such will require a Water Use Licence / General Authorisation in terms of the NWA. Envizio Group have been appointed to apply for authorization in terms of Section 21(a) of the National Water Act.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as an amendment, with regard to the time period allowed for complying with the requirements of the Regulations.	Duly noted.
	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.	Duly noted.
17/07/2025 Via Email Ms Makhosazane Yeni - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **KLIPPUT SOLAR PV**	**(a)Project description and Listed Activities**	
	The project infrastructure as presented on page v to vi and page 7 to 8 of the final SR is hereby noted. You are reminded to ensure that all the dimensions/sizes of associated infrastructure (i.e. roads, pipelines, etc) are presented.	The co-ordinates of all infrastructure proposed as part of this project are included in the tables at the beginning of this report. The details regarding the relevant sizes of the proposed solar PV infrastructure is included in Technical details checklist at the beginning of the report and in section 2. Please also note, that an additional table detailing the technical details in the format requested by the competent authority is also included on page 9 of the report.
	The final SR indicated that a revised application form will also be submitted with the draft EIAr to reflect the updated descriptions as per the comments on draft SR. Please note that the comments regarding the listed activities on draft SR still stands.	An amended Application Form will be submitted with the Final Environmental Impact Report to include the complete list of Listed Activities applied for.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	It has been noted that activity 11 of Listing Notice (LN) 1 has been applied for, however, the length of the proposed grid connection infrastructure is not specified. You are advised to provide the length of the proposed grid connection.	Kindly refer to the Technical Checklist in the beginning of the report providing the technical details of the proposed development in the table format. The length of the proposed grid connection is up to 16km.
	Activities 12 of LN1 have been applied for, however the physical footprint of the infrastructure or structures is not specified. Please ensure the details are provided in the amended application form and draft EIAr.	An amended Application Form will be submitted with the Final Environmental Impact Report. Kindly refer to the Technical Checklist in the beginning of the report providing the technical details of the proposed development in the table format, including sizes of the physical footprint of the infrastructure.
	For activity 24 and 56 of LN1 it is not clear whether the road will have a reserve or not. In addition, the use of the word "may" in the description does not confirm that these activities are applicable to the proposed development. Therefore, you are advised to refrain from using the word may.	An amended Application Form will be submitted with the Final Environmental Impact Report. The description of Listing Notice 1 Activity 24 have been amended in the Draft Environmental Impact Report. Please note that Listing Notice 1 Activity 56 is considered to no longer be applicable to the proposed development and will therefore not be applied for in the Amended Application form to be submitted with the Final Environmental Impact Report.
	It has been noted on page 50 of the final SR that "the project development will not impact on any CBAs and falls entirely in an ONA (Other Natural Area)". It is also noted that activities 4, 12, 14, and 18 of LN3 have been applied for. However, the relevant site sensitivities as per sub activities are not specified. As such, you are requested to specify the applicable sensitivities/geographical areas, and this information must be clear in the EIAr.	Duly noted. The listed activities along with the description of the proposed development associated with the relevant activity have been updated and included under Section 3.1.2 of the Draft Environmental Impact Report. Kindly note that the no aspect of the proposed development is located in any Critically Biodiversity Areas. Activity 4, 14 and 18 of Listing Notice 3 are considered applicable due to the proposed development

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		site being located approximately 8,5km from the Blijdschap Private Nature Reserve.
	The use of words such as "may be" and statements such as "the relevance of this activity will be determined in the impact assessment phase" is hereby noted. However, kindly be advised that listed activities are not based on a precautionary approach. Please ensure that all the listed activities in the amended application form and EIAr are clear, are the same and final for decision making purposes. Should it not be clear that listed activity is triggered, such activity will not be considered in the decision-making process.	Duly noted. The listed activities along with the description of the proposed development associated with the relevant activity have been updated and included under Section 3.1.2 of the Draft Environmental Impact Report. An amended Application Form will be submitted with the Final Environmental Impact Report.
	Please ensure that all relevant activities listed are applied for are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. In addition, the onus is on the applicant and the Environmental Assessment Practitioner ("EAP") to ensure that all the applicable listed activities are included in the application form and the EIAr. Failure to do so may result in unnecessary delays in the processing of the application.	Duly noted. The listed activities along with the description of the proposed development associated with the relevant activity have been updated and included under Section 3.1.2 of the Draft Environmental Impact Report. An amended Application Form will be submitted with the Final Environmental Impact Report.
	If the activities applied for in the application form differ from those mentioned in the SR, an amended application form must be submitted with the EIAr. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.	Duly noted. An amended Application Form will be submitted with the Final Environmental Impact Report.
	(b) Coordinates	
	Please provide coordinate points for the proposed development site (note that if the site has numerous turning points, at each turning point	The co-ordinates with all bend points for the preferred PV footprint (layout alternative 3), Centrepoint's for associated infrastructure and

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	coordinates must be provided) as well as the start, middle and end point of all linear activities (indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site). The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection).	bend points for the preferred grid connection (Grid Connection Alternative 1) is included in the tables above.
	(c) Alternatives	
	Alternatives as included on page 29 to 36 of the final SR are hereby noted. You are required to provide all the alternatives considered for this development as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014 as amended in the EIAr. Furthermore, the preferred options for all assessed alternatives must be determined and be clear throughout the EIA report.	Technology Alternatives for the PV and BESS, Layout Alternatives for the PV and route alternatives for the Grid connection Infrastructure have been considered in this environmental process. Please refer to the discussion on alternatives as included in section 2.11 of this Draft EIR.
	Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2. However, note that no development will be allowed within sensitive area, mitigation hierarchy should be considered to avoid impacts on sensitive environment.	
	(d) Layout and Sensitivity Maps	
	The layout map included as Appendix D of the final SR must be amended to include the following: ➢The PV development area.	The Copy of the final preferred layout as well as the preferred layout overlaid onto a sensitivity map is attached in Appendix D1. All proposed infrastructure as well as relevant existing infrastructure on the properties is shown in these layout plans. Please note, that should the outcome of the public participation process require the need for

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	➢Position of all associated infrastructure e.g., panels, BESS, on-site substations, powerline, etc. ➢All supporting onsite infrastructure such as permanent laydown area and auxiliary buildings, dangerous goods facility etc. ➢All existing infrastructure on the site, especially railway lines and roads; ➢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); ➢The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure. ➢Buffer areas; ➢All "no-go" areas. ➢A north arrow and legend/ key, to enable the Department to interpret the layout map.	this preferred layout plan to be revised, such a revised plan will be included in the Final EIR.
	All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible.	The environmental sensitivity map, which includes all no-go areas and buffers identified by the specialists overlain onto the final preferred layout map is attached in Appendix D1.
	The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV).	Kindly refer to Appendix D2 of the Draft Environmental Impact Report.
	Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable on the legend.	Duly noted.
	Google maps will not be accepted for decision-making purposes	Duly noted.
	(e) Public Participation Process (PPP)	
	Please ensure that all comments from all identified and relevant competent authorities as well as stakeholders have been responded to, addressed and incorporated to the EIAr. The identified stakeholders must include but are not limited to the Makhado Local Municipality, Vhembe District Municipality, Limpopo: Department of Economic Development, Environment and Tourism (LEDET), Limpopo Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation (DWS), Wildlife and Environment Society of South Africa (WESSA), Birdlife South Africa, South African Civil Aviation Authority (SACAA), South African Radio Astronomy Observatory (SARAO), Square Kilometer Array (SKA), Air Traffic and Navigation Services (ATNS), Endangered Wildlife Trust (EWT), Eskom, SA National Defence Force and the Department of Forestry, Fisheries and the Environment (DFFE): Protected Areas Planning and Management Effectiveness and Biodiversity Conservation Directorates (BCAdmin@dffe.gov.za), and the relevant heritage authorities.	All of these Departments are included in the I&AP register for this project and were given an opportunity to comment on the Draft Scoping Report (Please refer to appendix F4). These Departments will be provided with a further opportunity to comment on the Draft Environmental Impact Report and proof notifications will be included in Appendix F6 of the Final EIR.
	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Section 41 in Chapter 6 of regulation 982 details the public participation process that has to take place as part of an environmental

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		process. The table provided in Section 8 of the Draft Environmental Impact Report provides a quick reference to show how this environmental process has or intends to comply with these legislated requirements relating to public participation. Please also refer to Appendix F, where all evidence of public participation is included.
	A Comments and Responses trail report (C&RR) must be compiled, continuously updated throughout the EIA process for this proposed development starting with the draft SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	The comments and responses report attached in Appendix F2 responds to each comment individually in detail in the format requested by the Department. Response to the Departments acceptance of the Final Scoping Report is included in this comment and responses report. This comments ant responses report will be updated to include any comments received on the Draft Environmental Impact Report.
	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.	A comment and responses report in the format outlined by the Department is included in Appendix F2. This will be updated on completion of the public participation process on the Draft Environmental Impact Report.
	Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof must be submitted to the CA of the attempts that were made to obtain comments.	Kindly refer to appendix F5 which includes all comments that have been submitted up until the point of submission of this Draft Environmental Impact Report. Any comments received during the comment period on the Draft Environmental Impact Report will be included in Appendix F7 of the Final Environmental Impact Report.
	Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30-day review and comment period.	Please refer to Section 8.2 of the Draft Environmental Impact Report for the exact dates that the Draft Scoping Report was available for a 30-day review and comment period.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		The Draft Environmental Impact Report will be available from 22 August – 22 September 2025 for a 30-day review and comment period. Proof of availability if the Draft Environmental Impact Report will be included as Appendix F3 and F6 in the Final Environmental Impact Report.
	(f)Screening Tool Report	
	It has been noted that the screening tool reports dated 13 March 2025 for Klipput Solar PV and powerline alternatives 1, 2 and 3 submitted with the application form and the final SR are not signed by the compiler. You are advised to ensure that all signed screening tool reports are submitted with the amended application form and the EIAr.	Duly noted. Signed screening tool reports will be submitted with the amended Application Form to be submitted with the Final Environmental Impact Report.
	(g) Specialist Assessments	
	According to page 5 of 15 of the screening tool report dated 13 March 2025 for Klipput Solar PV, the defence theme is rated as very high in terms of sensitivity, while the agriculture and civil aviation themes are rated high in terms of sensitivity. The animal species and palaeontology themes have medium sensitivity. The aquatic biodiversity, archaeology and cultural heritage, plant species, and terrestrial biodiversity themes are rated low in terms of sensitivity. In addition, you are advised to ensure that themes for all powerline alternatives are considered, site sensitivity reports and studies are undertaken accordingly.	Kindly refer to Appendix E1 – E8 of the Draft Environmental Impact Report for all specialist studies undertaken for the proposed development.
	Site sensitivity verification reports that have been submitted are hereby noted. According to the SSVr and page 113 of the final SR,	Kindly refer to the following appendices to the Draft Environmental Impact Report: Appendix E5: Agricultural Compliance Statement;

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the following specialist assessments will be undertaken and included in the EIAr: ➢Agricultural Compliance Statement ➢Aquatic Biodiversity Impact Assessment. ➢Terrestrial Biodiversity Impact Assessment. ➢Plant Species Impact Assessment. ➢Animal Species Impact Assessment. ➢Avifaunal Impact Assessment ➢Heritage Impact Assessment (including Cultural Heritage, Archaeology and Palaeontology) ➢Landscape and Visual Impact Assessment ➢Agricultural Compliance Statement. ➢Socio-Economic Impact Assessment. ➢Geotechnical Assessment.	Appendix E6: Landscape/Visual Impact Assessment; Appendix E4: Archaeological and Heritage Impact Assessment; Appendix E4: Palaeontology Impact Assessment; Appendix E1: Terrestrial Biodiversity Impact Assessment (inclusive of botanical and faunal assessments); Appendix E3: Aquatic Biodiversity Impact Assessment; Appendix E2: Avian Impact Assessment; Appendix E7: Socio-Economic Impact Assessment.
	The following Compliance Statements will be undertaken by the EAP: ➢ Defence Compliance Statement ➢ Civil Aviation Compliance Statement.	The applicant has submitted an obstacles investigation to the South African Civil Aviation Authority (SACAA). At the time of submission of this Draft Environmental Impact Report, a response on this application had not yet been received from the SACAA. This will be included in the Final Environmental Impact Report should it be received prior to the final submission. The EAP will continue to actively engage with the Department of Defence regarding the Defence Theme.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.	All specialist studies included in appendices E1 – E8 are final. These studies may however be revised to respond to any comments that may be received during the comment period on the Draft Environmental Impact Report.
	Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and were necessary, include further expertise advice.	No contradicting recommendations were made by the appointed specialists.
	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), are in effect. Please note that specialist assessments must be conducted in accordance with these protocols.	All specialist studies were undertaken in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998.
	(h) Environmental Management Programme	
	It is noted that activity 11 of Listing Notice 1 has been applied for. Please ensure that the generic EMPr that complies with the GN 435 of March 2022 is used for the management of impacts of the substation and power line that will be constructed for this development are submitted to the CA.	Kindly refer to Appendix I of the Draft Environmental Impact Report which includes the EMPr for the PV facility, a generic EMPr for the on-site substation as well as a generic EMPr for the overhead powerline. The Applicant will sign the generic EMPr upon submission of the Final Environmental Impact Report as there may still be amendments

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Part B: Section 2 of the generic EMPr must be completed, and a copy of an originally signed generic EMPr must be submitted with the EIAr. Please ensure that Point 7.1.1 in Part B: Section 2 match the details of the Applicant as contained in the amended application form and EIAr.	required based on the outcome of the public participation period of the Draft Environmental Impact Report.
	If any specific environmental sensitivities/attributes are present on site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage such impacts, those impact management outcomes and actions must be included in Section C of the generic EMPr.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report.
	The EMPr for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.	Please refer to Section 3 of the EMPr outlined the compliance of the EMPr with Section 24N of NEMA.
	(i) Cumulative Assessment	
	Noting that this project is part of the cluster and there may 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: ➢The cumulative impacts assessment must consider the existing, authorised but not yet developed, the proposed similar development and powerline in the area. ➢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	Kindly refer to Section 6.11 of the Draft Environmental Impact Report for the assessment of Cumulative Impacts.

<table>
<tr><th>Date of Comment, format of comment, name of organization/I&AP</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td>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.</td><td></td></tr>
<tr><td></td><td colspan="2">(j) General</td></tr>
<tr><td></td><td>The technical checklist included in the final SR must be amended to provide the technical details for the proposed facility as per the sample below.

Sample of minimum technical details required for the proposed facility.
<table><tr><th>Component</th><th>Description/dimensions</th></tr><tr><td>Height of PV structures</td><td></td></tr><tr><td>Capacity of the PV facility</td><td></td></tr><tr><td>Surface area to be covered by the facility (i.e., the area occupied by both permanent and construction laydown areas, including PV array area and associated infrastructure such as roads)</td><td></td></tr><tr><td>Proximity to grid connection</td><td></td></tr><tr><td>Number of overhead power lines required and voltage of overhead power lines</td><td></td></tr><tr><td>Height of the Power Line</td><td></td></tr><tr><td>Number of substations required and voltage of substations</td><td></td></tr><tr><td>Area occupied by inverter/transformer stations/substations</td><td></td></tr><tr><td>Area occupied by buildings</td><td></td></tr><tr><td>Number of access roads, including length and width</td><td></td></tr><tr><td>Length and width of internal roads</td><td></td></tr><tr><td>Additional Infrastructure</td><td></td></tr></table></td><td>Kindly refer to the Technical Checklist in the beginning of the report providing the technical details of the proposed development in the table format as requested.</td></tr>
<tr><td></td><td>Please ensure that the final EIAr includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring</td><td>Kindly refer to Section 2.12 of the Draft Environmental Impact Report for the Project Programme and Timelines.

Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the</td></tr>
</table>

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	requirements finalised, as per Appendix 3(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended.	validity period of the environmental authorisation (if authorised) be granted as follows: • Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	Confirmation of the availability of services (e.g., sewage, water, etc. if required) must be included in the EIAr.	Water required for the construction and operation of Solar PV facility is to be sourced from the Makhado Local Municipality (who will be engaged with to provide confirmation of availability). Should the applicant in the future, wish to utilise groundwater for the purposes of construction or operation of the facility, such use will require a licence in terms of Section 21(a) of the NWA.
	Should a Water Use License be required, proof of application for a license needs to be submitted.	The freshwater specialist has identified a number of surface water resources within the study site. The Preferred Layout Alternative avoids these features along with the buffer areas identified by the specialist. The proposal does however include infrastructure within the regulated zone of these features and as such will require a Water Use Licence / General Authorisation in terms of the NWA. Envizio Group have been appointed to apply for authorization in terms of Section 21(a) of the National Water Act.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as an amendment, with regard to the time period allowed for complying with the requirements of the Regulations.	Duly noted.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	Duly noted.
17/07/2025 Via Email Ms Thulisile Nyalunga - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **MAKOPPA SOLAR PV**	**(a) Coordinates**	
	(i) Please provide coordinate points for the proposed development site (note that if the site has numerous turning points, at each turning point coordinates must be provided) as well as the start, middle and end point of all linear activities. Please indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates must be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection.	The co-ordinates with all bend points for the preferred PV footprint (layout alternative 3), Centrepoint's for associated infrastructure and bend points for the preferred grid connection (Grid Connection Alternative 1) is included in the tables above.
	(b) Alternatives	
	(i) Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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 draft EIAr. You are therefore required to provide a motivation should other alternative sites, routes, layouts, and technologies not be considered.	Technology Alternatives for the PV and BESS, Layout Alternatives for the PV and route alternatives for the Grid connection Infrastructure have been considered in this environmental process. Please refer to the discussion on alternatives as included in section 2.11 of this Draft EIR.
	(c) Locality, Site Layout and Sensitivity Maps	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	The draft EIAr must provide the following:	
	(i)A clear description of all associated infrastructure. This description must include, but is not limited to the following: ➢Internal roads infrastructure; and; ➢All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	The clear description of the infrastructure is included in the technical checklist at the beginning of this report. Internal roads infrastructure; and all supporting onsite infrastructure are depicted in the solar facility layout plans for the preferred alternative attached in appendix D1.
	(ii) All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	The co-ordinates of all infrastructure proposed as part of this project are included in the tables at the beginning of this report. The details regarding the relevant sizes of the proposed solar PV infrastructure is included in Technical details checklist at the beginning of the report and in section 2. Please also note, that an additional table detailing the technical details in the format requested by the competent authority is also included on page 9 of the report.
	(iii) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following: ➢ Permanent laydown area footprint; ➢ 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);	The Copy of the final preferred layout as well as the preferred layout overlaid onto a sensitivity map is attached in Appendix D1. All proposed infrastructure as well as relevant existing infrastructure on the properties is shown in these layout plans. Please note, that should the outcome of the public participation process require the need for this preferred layout plan to be revised, such a revised plan will be included in the Final EIR.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	➢ Wetlands, drainage lines, rivers, streams and water crossings 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, ESA, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; ➢ Location of access and service roads; ➢ All existing infrastructure on the site, especially railway lines and roads; ➢ Buffer areas; ➢ Buildings, including accommodation; ➢ All "no-go" areas; and ➢ A north arrow and legend/key, to enable the Department to interpret the layout map.	
	(iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	The environmental sensitivity map, which includes all no-go areas and buffers identified by the specialists overlain onto the final preferred layout map is attached in Appendix D1.
	(v)A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	
	(d) Public Participation	
	(i) On the comments and response table, please respond to each issue raised by interested and affected parties and use a clear and	The comments and responses report attached in Appendix F2 responds to each comment individually in detail in the format

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	readable font. It is preferable to compile a table with three columns for the date of comment, name of organization/I&AP, issue or comment raised, and response from EAP/Applicant/Specialist.	requested by the Department. Response to the Departments acceptance of the Final Scoping Report is included in this comment and responses report. This comments ant responses report will be updated to include any comments received on the Draft Environmental Impact Report.
	(ii) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the Department of Economic Development, Environment & Tourism (DEDET), Makhado Local Municipality, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation.	All of these Departments are included in the I&AP register for this project and were given an opportunity to comment on the Draft Scoping Report (Please refer to appendix F4). These Departments will be provided with a further opportunity to comment on the Draft Environmental Impact Report and proof notifications will be included in Appendix F6 of the Final EIR.
	(iii) Please ensure that all issues raised, and comments received on the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final EIAr. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.	Kindly refer to appendix F5 which includes all comments that have been submitted up until the point of submission of this Draft Environmental Impact Report. Any comments received during the comment period on the Draft Environmental Impact Report will be included in Appendix F7 of the Final Environmental Impact Report.
	(iv) A comments and response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments (pre and post-submission of the draft EIAr) received 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 which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy	A comment and responses report in the format outlined by the Department is included in Appendix F2. This will be updated on completion of the public participation process on the Draft Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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&APs comments.	
	(v) Please ensure that the EIAr indicates when and where the draft SR and EIAr were made available for a 30-day review and comment period.	Please refer to Section 8.2 of the Draft Environmental Impact Report for the exact dates that the Draft Scoping Report was available for a 30-day review and comment period. The Draft Environmental Impact Report will be available from 22 August – 22 September 2025 for a 30-day review and comment period. Proof of availability if the Draft Environmental Impact Report will be included as Appendix F3 and F6 in the Final Environmental Impact Report.
	(vi) The Public Participation Process must be conducted in terms of the approved public participation plan and Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Section 41 in Chapter 6 of regulation 982 details the public participation process that has to take place as part of an environmental process. The table provided in Section 8 of the Draft Environmental Impact Report provides a quick reference to show how this environmental process has or intends to comply with these legislated requirements relating to public participation. Please also refer to Appendix F, where all evidence of public participation is included.
	(e) Specialist Assessments	
	(i) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.	All specialist studies included in appendices E1 – E8 are final. These studies may however be revised to respond to any comments that may be received during the comment period on the Draft Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and were necessary, include further expertise advice.	No contradicting recommendations were made by the appointed specialists.
	(iii) 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), are in effect. Please note that specialist assessments must be conducted in accordance with these protocols.	All specialist studies were undertaken in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998.
	(f) Environmental Management Programme	
	(i) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the EIA 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 Programmes (EMPr), contemplated in Regulations 19(4) must be used over and above the EMPr for the PV facility. Accordingly, there needs to be a generic EMPr for the on-site substation, a generic EMPr for the overhead powerline, and a third, separate EMPr for the PV facility.	Kindly refer to Appendix I of the Draft Environmental Impact Report which includes the EMPr for the PV facility, a generic EMPr for the on-site substation as well as a generic EMPr for the overhead powerline. The Applicant will sign the generic EMPr upon submission of the Final Environmental Impact Report as there may still be amendments required based on the outcome of the public participation period of the Draft Environmental Impact Report.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	(ii)Please ensure that any specific mitigation measures identified in the EIAr and specialist reports for the on-site substation and powerline are incorporated into the site-specific section of the generic EMPrs.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report.
	iii) Please ensure that the mitigation measures specified in the EIAr and specialist reports for the PV facility are also incorporated into the EMPr for the PV facility. In addition, please ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.	All mitigation measures identified in the Draft Environmental Impact Report as well as the specialist studies have been incorporated into the EMPrs attached as Appendix I of the Draft Environmental Impact Report. Please refer to Section 3 of the EMPr outlined the compliance of the EMPr with Section 24N of NEMA.
	(iv) Please also include in the EMPrs, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and the submission of such compliance reports to the competent authority.	Please refer to Section 2.14 of the EMPr attached as Appendix I to the Draft Environmental Impact Report for Environmental Audit Frequencies.
	(g) General	
	(i) The EIAr must provide the technical details for the proposed facility in a table format, as well as their description and/or dimensions.	Kindly refer to the Technical Checklist in the beginning of the report providing the technical details of the proposed development in the table format.
	(ii) Please ensure that the final EIAr includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded, and the post-construction monitoring requirements finalised, as per Appendix 3(3)(1)(r) of the NEMA EIA Regulations, 2014, as amended.	Kindly refer to Section 2.12 of the Draft Environmental Impact Report for the Project Programme and Timelines. Due to the uncertainty regarding the timing of the procurement programmes, the competent authority is herewith requested that the validity period of the environmental authorisation (if authorised) be granted as follows:

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		• Commencement of Construction Activities within 10 Years from the date of the Environmental Authorisation. • Completion of all non-operational aspects of the Environmental Authorisation within 10 years of commencement of construction activities.
	(iii) Confirmation of the availability of services (e.g., sewage, water, etc. if required) must be included in the EIAr.	Water required for the construction and operation of Solar PV facility is to be sourced from the Makhado Local Municipality (who will be engaged with to provide confirmation of availability). Should the applicant in the future, wish to utilise groundwater for the purposes of construction or operation of the facility, such use will require a licence in terms of Section 21(a) of the NWA.
	iv) Should a Water Use License be required, proof of application for a license needs to be submitted.	The freshwater specialist has identified a number of surface water resources within the study site. The Preferred Layout Alternative avoids these features along with the buffer areas identified by the specialist. The proposal does however include infrastructure within the regulated zone of these features and as such will require a Water Use Licence / General Authorisation in terms of the NWA. Envizio Group have been appointed to apply for authorization in terms of Section 21(a) of the National Water Act.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as an amendment, with regard to the time period allowed for complying with the requirements of the Regulations.	Duly noted.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended,	Duly noted.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	that no activity may commence prior to an environmental authorisation being granted by the Department.	
19/08/2025 Via Online Website Registration Sphokasi Mbatha	Registration only.	Thank you very much for your online registration for the Tabor Solar PV projects. Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
13/08/2025 Via Email Ngoako Maphala – Chatleka CPA	Kindly be advised that an objection and strong opposition to any future Solar Power Project on the Draailoop LS, is being registered. The Draailoop land is currently being claimed and we as, Chatleka CPA, are awaiting government response regarding this matter. So, any of your proposed plans to have Solar Projects on that land, is opposed.	The Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo), does not list the Chatleka CPA as a claimant on any of the affected Farms (Appendix F5). To the extent Chatleka CPA believes that there has been an oversight, the CPA is advised to approach the Office of the Reginal Land Claims Commissioner: Limpopo.
28/07/2025 Via Email Malibongwe Nqai – Mainstream Renewable Energies	I am writing to formally request registration as an Interested and Affected Party (I&AP) for the Proposed Tabor Solar PV Facilities and Integrated Grid Connection Infrastructure in the Makhado Local Municipality in the Vhembe District, Limpopo Province currently under the Full Scoping and EIA Process. Our project, located in close proximity to the proposed site, may be directly or indirectly impacted by the activities associated with your development. Kindly include us in all future correspondence, notifications, and stakeholder engagement processes related to the Environmental Authorisation process.	Thank you very much for your email. I hereby confirm that your contact details have been added to the stakeholder register for this project and we will be sure to keep you informed throughout the remainder of the Environmental Authorisation application process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
COMMENTS RECEIVED ON THE DRAFT SCOPING REPORT		
21/05/2025 Via Email Ms Zamalanga Langa - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment: **BETHEL SOLAR PV**	**(a) Listed activities**	
	The project descriptions provided for some of the listed activities applied for cannot be directly linked to the respective listed activities, as the required thresholds or capacities have not been included. You are required to amend the project descriptions for Activities 11, 12, and 28 of Listing Notice 1 to include the capacity/threshold of the proposed infrastructure that triggers each listed activity. For example, for Activity 11, you must specify the infrastructure that triggers this listed activity, such as a substation or powerline, and indicate their capacity in kilovolts (kV).	The activity descriptions in Table 11 of the Final Scoping report have been updated to reflect the specific thresholds and capacities.
	For the listed activities applied for under Listing Notice 3 (Activities 4, 12, 14, and 18), you must select the applicable geographical sensitivity area triggered by the proposed project, as you have not selected the relevant sub-listed activity.	The descriptions of the activities under listing notice 3 in Table 11 of the Final Scoping report have been revised to reflect the specific geographical sensitivity triggered. Kindly note that the Preferred Layout alternative will be developed after completion of the initial public participation process (taking into account, the specialist sensitivities as well as the comments received). Should any

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		descriptions or relevant activities change as a result of this preferred alternative, a revised application form will be submitted with the Draft Environmental Impact Report.
	Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description.	The activity descriptions of the listed activities applied for, have been revised to clarify the link to the project description. These descriptions will be further refined, once the preferred layout alternative has been developed (taking into account the specialist sensitivities and initial public comments). A revised application form will be submitted with the Draft Environmental Impact Report to reflect these refined descriptions.
	Furthermore, kindly ensure that the latest listed activities, as amended in 2021, are applied for.	The activities reflected utilise the latest amendments of 11 June 2021 as contained in Government Gazette 44701.
	It is imperative that the relevant authorities are continuously involved throughout the Scoping and EIA process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also the potential impacts on the affected respective geographical areas (such as Critical Biodiversity Areas, and Protected Areas) indicated in Listing Notice 3 must assessed.	The provincial environmental department has been engaged during the initial public participation process and will continue to be engaged throughout the remainder of the Environmental Process. Please refer to the I&AP register attached in Appendix F1 for the list of state departments and organs of state whom were consulted. Copies of all notifications are included in Appendix F4. The terms of reference for the relevant biodiversity specialists (Terrestrial Biodiversity, Animal Species, Plant Species, Avifauna and Aquatic Biodiversity) include a requirement for these specialists to specifically assess the impact on the respective geographic areas.
	(b) Screen tool report	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	It has been noted that the screening tool report on page 1 requires a compiler signature. Please submit the signed screening tool report with the final SR.	The Screening Tool Report attached in Appendix H of the Final Scoping report has been updated to include the compiler's signature. The compiler in this regard is the EAP.
	(c) Public Participation Process	
	Please ensure that all issues raised, and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the Final SR.	All comments received during the circulation of the Draft Scoping report are included in Appendix F5. The responses to each of these comments are included in the comments and responses report (this report) as attached in Appendix F2 of the Final Scoping Report. It must be noted that this comments and responses report also includes details as to how the Final Scoping Report has been updated to address comments received.
	Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.	Proof of correspondence with all stakeholders (as well as attempts to obtain comments), including the Competent Authority and State Departments are included in Appendix F4 of the Final Scoping Report. All comments received are included in Appendix F5 and all responses to the comments received are included in Appendix F2.
	Proof of the newspaper advertisement must be included in the final SR.	A copy of the Newspaper advert is included in Appendix F3 of the Final Scoping Report.
	The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Please refer to section 7 of the final Scoping report for details of compliance with regulations 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
	A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments for this development. The C&R report must be a separate document from	A Comments and Responses Report (this report) is attached in Appendix F2 of the Final Scoping Report. This is attached as a separate document appended to the Final Scoping Report. All I&AP

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the main report and the format must be in the table format. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.	comments have been reflected verbatim and responded to in detail. This Comment and Responses Report also indicates where the Final Scoping Report has been updated to address comments where necessary.
	The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development.	The National Department of Forestry, Fisheries and the Environment has been identified as the Competent Authority in Respect of this application. Section 24C(2) of the Act provides for the determination of the competent authority insofar it relates to the environmental authorisation of listed and specified activities. Section 24C(3) specifically provides for the Minister, the Minister responsible for mineral resources and the MEC responsible for environmental affairs in a province may come to an agreement on who will deal with applications for environmental authorisations for any activity, or class of activity. The provincial competent authorities have agreed to the following, at a session of the Implementation Workshop – The Minister will be competent authority for the following – 1. a generation facility to be bid in the DMRE bidding round which includes all associated infrastructure; 2. an application for EA for private off-taking agreements for more than 100MW; Notwithstanding this, the provincial environmental authority was also provided with an opportunity to comment on the Draft Scoping Report. Please refer to the I&AP register attached in Appendix F1.
	(**d) Specialist Assessments**	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Please kindly ensure that the terms of reference for all specialist studies to be conducted includes the following requirements:	
	A detailed description of their methodology, as well as indicating the locations and descriptions of PV positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.	As noted in the Draft Scoping Report, the terms of reference provided to the specialists was to consider and assess, the full extent of the affected properties as well as all grid connection alternatives under considerations. The outcome of the specialists site sensitivity verification along with the outcome of the initial public participation process will be utilised by the applicant to inform the scale and positioning of the preferred layout alternative (including the position of the PV arrays and all associated infrastructure). The methodology utilised by the respective specialists is outlined in the SSVR's attached in Appendices E1 – E7. The Terms of reference for the specialist impact assessments is included in section 6 of the Final Scoping Report.
	a detailed description of all limitations to their studies. Please ensure that all specialist studies that are conducted have been commissioned in the right season, and providing that as a limitation will not be accepted.	The limitations of each of the specialist studies are included in their respective reports and are summarised in section 1.3 of the Final Scoping Report. None of the specialists identified seasonality as a limitation to their studies.
	If the appointed specialists specify contradicting recommendations, the EAP must indicate the most reasonable recommendation and substantiate this with defendable reasons and where necessary, include further expertise advice.	None of the participating specialists specified any contradicting recommendations at this stage of the environmental process. During the Environmental Impact Assessment Phase of the Environmental Process, the EAP will review the detailed specialist mitigations as well as the environmental impact management outcomes and actions to determine whether or not there are any conflicting recommendations.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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. - 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.	The Plan of study for Impact Assessment as outlined in section 6 of the Final Scoping Report includes the requirements for both the EAP and participating specialists to comply with these requirements when assessing the cumulative impacts of this project. Please note that the assessment of cumulative impacts will firstly assess the cumulative impact of the 4 projects forming part of this cluster of PV projects, and secondly to assess the cumulative impacts of these four projects along with other similarly authorised projects within a 30km radius.
	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 ensure that specialist assessments are conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will	All specialists related to the themes where Procedures for the Assessment and Minimum Criteria for Reporting has been determined in the regulations have complied with these themes. These themes include: 1. Terrestrial Biodiversity, 2. Animal Species, 3. Plant Species, 4. Aquatic Biodiversity, and 5. Agriculture. Please note that in terms of the Animal Species theme, a separate SSVR has been undertaken for avifaunal species (a separate avifaunal impact assessment will also be undertaken).

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	apply to such applications. Please indicate in the report whether the protocols were applied.	Each of the specialists responsible for the themes above have included tables detailing how their report complies with these themes in Appendices E1-E3 and Appendix E5.
	Please note that the protocols require certain specialist's to be SACNASP registered. As such, the Specialist Declaration of Interest forms must also indicate the scientific organization registration/member number and status of registration/membership for each specialist.	All specialists identified in terms of the protocols (Terrestrial Biodiversity, Animal Species, Avifauna, Plant Species and Agriculture) are appropriately registered with SACNASP as follows: - Tarryn Martin (Plant Species) - Pri. Sci. Nat 008745. - Nicole Dealtry (Terrestrial Biodiversity and Animal Species) - Pri. Sci. Nat. 130289. - Dr Lindi Steyn (Avifauna) – Pri.Sci.Nat. 119992. - Prasheen Singh (Aquatic Biodiversity) – Pri. Sci. Nat 116822. - Mariné Pienaar (Agricultural) – Pri. Sci. Nat. 00274/10. Please refer to the CV's of the specialists are attached in Appendix G6 and the Specialist Declarations are attached in Appendix G4.
	Please take note that for the themes that have been identified as medium and low, after having conducted the site verification the protocols requires that compliance statements be submitted together with the EIR. please ensure that these specialists must be identified as specialist to be conducted who compliance statements are to be included in the EIAr.	Section 6 of the Final Scoping Report (Plan of Study for EIR) identifies the specialists that will be undertaking assessments in the Environmental Impact Reporting phase of the Environmental Process. It furthermore identifies which of these will be full impact assessments and which will be compliance statements (based on the verified site sensitivity).
	(e) Layout & Sensitivity Maps	
	The layout map included in the SR must be amended to include the following: - The PV development area.	As outlined in the Draft and Final Scoping Report, the total extent of the affected properties as well as all grid connection alternatives are considered at the scoping phase of the environmental process. During this scoping phase, specialists have determined and spatially

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- Position of all infrastructure e.g., panels, BESS, on-site substations, powerline etc. - laydown area footprint Connection routes to the distribution/transmission network; and - The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected. - Buffer areas; and - All "no-go" areas. - All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible. - The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments. All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible - A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV) - Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable in the Legend. - Google maps will not be accepted for decision-making purposes.	mapped the sensitivity of the receiving environment. The environmental sensitivity (including the mapping of no-go areas and buffers that took place during the scoping phase) along with the outcome of the initial public participation process will be used to prepare the site layout plan. This detailed site layout plan will indicate the position of the PV facility as well all associated infrastructure in relation to sensitive features identified by specialists and by I&AP's during the initial public participation process. This detailed layout plan will also include any additional requirements identified by the competent authority in their acceptance of the Final Scoping Report (should it be accepted)/ the layout and sensitivity maps will be presented to the Department as part of the Draft Environmental Impact Report and will be assessed by participating specialists. Registered I&AP's and State Departments will be provided with an opportunity to comment on this layout plan as part of the second phase of public participation.
	(f) Cumulative Impacts	
	As this proposed project (Bethel Solar) forms part of a cluster of similar projects (Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV) situated in farm portions located next to each other, the assessment of	The Plan of study for Impact Assessment as outlined in section 6 of the Final Scoping Report includes the requirements for both the EAP and participating specialists to comply with these requirements when

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	cumulative impacts must include all the other proposed facilities linked or related to this proposed cluster development in this project area. Further, 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.	assessing the cumulative impacts of this project. Please note that the assessment of cumulative impacts will firstly assess the cumulative impact of the 4 projects forming part of this cluster of PV projects, and secondly to assess the cumulative impacts of these four projects along with other similarly authorised projects within a 30km radius.
	General	
	You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects	The Draft Scoping report was subjected to a public participation period of 30 days extending from 25 April 2025 – 27 May 2025 and this final scoping report is herewith submitted to the competent authority within 44 days of the receipt of the application form as required in regulation 21(1) of the NEMA EIA Regulations 2014, as amended.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the incorporation of comments received, including any comments of the competent authority".	
	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.	Please refer to the table on page 9 of the Final Scoping report, which details how the report has complied with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.
	Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).	This final scoping report is submitted within the timeframes allowable in terms of the regulations.
	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 and the EAP are aware of this requirement.
21/05/2025 Via Email Mr Lunga Dlova - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **DRAAILOOP SOLAR PV**	**(a) Listed Activities and application form**	
	Please update the application form with details such as vegetation clearance, access road length and width, and development footprint. Please include any relevant thresholds, areas, or footprints for the development where necessary.	The activity descriptions in Table 11 of the Final Scoping report have been updated to reflect the specific thresholds and capacities. The descriptions of the activities under listing notice 3 in Table 11 of the Final Scoping report have been also revised to reflect the specific geographical sensitivity triggered.
	If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template	Kindly note that the Preferred Layout alternative will be developed after completion of the initial public participation process (taking into account, the specialist sensitivities as well as the comments

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	has been amended and can be downloaded from the following link: https://www.environment.gov.za/documents/forms.	received). Should any descriptions or relevant activities change as a result of this preferred alternative, a revised application form will be submitted with the Draft Environmental Impact Report.
	(**b) Screen tool report**	
	It has been noted that the screening tool report on page 1 of 15 requires a compiler signature. Please submit the signed screening report with the final SR.	The Screening Tool Report attached in Appendix H of the Final Scoping report has been updated to include the compiler's signature. The compiler in this regard is the EAP.
	(c)Locality, Site Layout and Sensitivity Maps	
	The report must provide the following: A clear description of all associated infrastructure. This description must include, but is not limited to the following: - Powerlines and substation; - Internal roads infrastructure; and; - All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc. - All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	The description in the Final Scoping Report has been updated to reflect components as currently available. Please note that the Final Preferred layout will only be presented in the Draft Environmental Impact Report, taking into account the site sensitivities and the outcome of the initial public participation process. Once this preferred layout alternative is determined, all project descriptions will be updated accordingly.
	A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following: - Permanent laydown area footprint; - Internal roads indicating width (construction period width and operation period width) and with numbered sections between	As outlined in the Draft and Final Scoping Report, the total extent of the affected properties as well as all grid connection alternatives are considered at the scoping phase of the environmental process. During this scoping phase, specialists have determined and spatially mapped the sensitivity of the receiving environment. The environmental sensitivity (including the mapping of no-go areas and buffers that took place during the scoping phase) along with the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the other site elements which they serve (to make commenting on sections possible); - Wetlands, drainage lines, rivers, streams and water crossings 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, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; - Substation(s) and/or transformer(s) sites, including their entire footprint; - Location of access and service roads; - Connection routes (including pylon positions) to the distribution/transmission network; - All existing infrastructure on the site, especially railway lines and roads; - Buffer areas; - Buildings, including accommodation; - All "no-go" areas; and - A north arrow and legend/key, to enable the Department to interpret the layout map. - An environmental sensitivity map indicating environmentally sensitive areas and features identified during the assessment process. - A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	outcome of the initial public participation process will be used to prepare the site layout plan. This detailed site layout plan will indicate the position of the PV facility as well all associated infrastructure in relation to sensitive features identified by specialists and by I&AP's during the initial public participation process. This detailed layout plan will also include any additional requirements identified by the competent authority in their acceptance of the Final Scoping Report (should it be accepted)/ the layout and sensitivity maps will be presented to the Department as part of the Draft Environmental Impact Report and will be assessed by participating specialists. Registered I&AP's and State Departments will be provided with an opportunity to comment on this layout plan as part of the second phase of public participation.
	(d)Draft SR comments	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Please update the Technical Details of the proposed development with specific descriptions and dimensions of the components to be determined.	The technical details in the Final Scoping report have been updated to reflect as much information as currently available. As outlined in the Draft and Final Scoping Reports the final preferred layout alternative (inclusive of all associated infrastructure) will be presented in the Draft Environmental Impact Report (as this layout needs to be informed by the site sensitivity and outcome of the initial public participation). The technical details of the proposed development with specific descriptions and dimensions will be updated in the Draft Environmental Impact Report (based on the final site layout plan).
	Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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 report. You are therefore required to provide a motivation should other alternative sites, routes, layouts, and technologies not be considered.	Layout and Technology Alternatives have been considered as part of the Scoping phase of this environmental process (Please Refer to section 2.11). The preferred layout alternative will be presented during the Impact Assessment Phase of the environmental process taking into account the site sensitivities as well as the outcome of the initial public participation process.
	(e) Specialists' declaration form	
	Please ensure that details of the specialists that prepared the specialist reports, including their curriculum vitae and specialist declarations of independence, are included in the Report. You are referred to Appendix 6 (1) (1) (a)-(b) of the EIA Regulations, 2014, as amended).	All specialists identified in terms of the protocols (Terrestrial Biodiversity, Animal Species, Avifauna, Plant Species and Agriculture) are appropriately registered with SACNASP as follows: - Tarryn Martin (Plant Species) - Pri. Sci. Nat 008745. - Nicole Dealtry (Terrestrial Biodiversity and Animal Species) - Pri. Sci. Nat. 130289. - Dr Lindi Steyn (Avifauna) – Pri.Sci.Nat. 119992. - Prasheen Singh (Aquatic Biodiversity) – Pri. Sci. Nat 116822.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		- Mariné Pienaar (Agricultural) – Pri. Sci. Nat. 00274/10. The curriculum vitae's for all specialists are included in Appendix G6 and the Specialist declarations of Independence are included in Appendix G5 of both the Draft and Final Scoping Reports.
	(f) Public Participation Process	
	You are required to include the following	
	Proof of fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the site and corridor;	Please refer to Appendix F3 of the Final Scoping Report
	Proof of the newspaper advertisement;	Please refer to Appendix F3 of the Final Scoping Report
	Proof of a notice, notice board or advertisement	Please refer to Appendix F3 of the Final Scoping Report
	Proof of the written notification to the interested and affected parties.	Please refer to Appendix F4 of the Final Scoping Report
	The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development, including but not limited to the Department of Economic Development, Environment & Tourism (DEDET), Makhado Local Municipality, Vembe District Municipality, Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Conservation (BCAdmin@environment.gov.za), the Department of Water and Sanitation, the relevant heritage authorities.	The Department of Economic Development, Environment & Tourism, Makhado Local Municipality, Vembe District Municipality, Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Conservation, the Department of Water and Sanitation and the South African Heritage Resources Agency were all provided with an opportunity to comment on the Draft Scoping Report. Please refer to Appendix F4 for evidence in this regard. The I&AP register listing all State Departments and Organs of State consulted is attached in Appendix F1.
	Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments,	Proof of correspondence with all stakeholders (as well as attempts to obtain comments), including the Competent Authority and State

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and the approved Public Participation Plan.	Departments are included in Appendix F4 of the Final Scoping Report. All comments received are included in Appendix F5 and all responses to the comments received are included in Appendix F2. Please refer to section 7 of the final Scoping report for details of compliance with regulations 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended. Kindly note that the regulations requiring submission of a Public Participation Plan have been repealed.(i.e. GNR660 published on 05 June 2020 in terms of the Disaster Management Act has been repealed)
	A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must be a separate document from the main report and the format must be in the table format, which reflects the details of the interested and affected parties (I&APs) and the date comments were received, actual comments received, and responses provided. 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.	A Comments and Responses Report (this report) is attached in Appendix F2 of the Final Scoping Report. This is attached as a separate document appended to the Final Scoping Report. All I&AP comments have been reflected verbatim and responded to in detail. This Comment and Responses Report also indicates where the Final Scoping Report has been updated to address comments where necessary.
	(g)Specialist Assessments to be conducted in the EIA phase	
	Please note that 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	All specialists related to the themes where Procedures for the Assessment and Minimum Criteria for Reporting has been

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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 per these protocols.	determined in the regulations have complied with these themes. These themes include: 6. Terrestrial Biodiversity, 7. Animal Species, 8. Plant Species, 9. Aquatic Biodiversity, and 10. Agriculture. Please note that in terms of the Animal Species theme, a separate SSVR has been undertaken for avifaunal species (a separate avifaunal impact assessment will also be undertaken). Each of the specialists responsible for the themes above have included tables detailing how their report complies with these themes in Appendices E1-E3 and Appendix E5.
	(h) Cumulative Assessment to be conducted in the EIA phase	
	Within a 30km radius, there are many similar projects 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 Plan of study for Impact Assessment as outlined in section 6 of the Final Scoping Report includes the requirements for both the EAP and participating specialists to comply with these requirements when assessing the cumulative impacts of this project. Please note that the assessment of cumulative impacts will firstly assess the cumulative impact of the 4 projects forming part of this cluster of PV projects, and secondly to assess the cumulative impacts of these four projects along with other similarly authorised projects within a 30km radius.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- 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.	
	General	
	You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"	The Draft Scoping report was subjected to a public participation period of 30 days and this final scoping report is herewith submitted to the competent authority within 44 days of the receipt of the application form as required in regulation 21(1) of the NEMA EIA Regulations 2014, as amended.
	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.	Please refer to the table on page 9 of the Final Scoping report, which details how the report has complied with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.
	Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).	This final scoping report is submitted within the timeframes allowable in terms of the regulations.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity	The applicant and the EAP are aware of this requirement.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	may commence prior to an Environmental Authorisation being granted by the Department.	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
23/05/2025 Via Email Ms Makhosazane Yeni - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **KLIPPUT SOLAR PV**	**<u>Project description and Listed Activities</u>**	
	The project infrastructure as presented on page 8 to 9 of 53 of the application form is hereby noted. You are reminded to ensure that all the sizes of associated infrastructure (i.e. roads, pipelines, etc) are presented.	The technical details in the Final Scoping report have been updated to reflect as much information as currently available. As outlined in the Draft and Final Scoping Reports the final preferred layout alternative (inclusive of all associated infrastructure) will be presented in the Draft Environmental Impact Report (as this layout needs to be informed by the site sensitivity and outcome of the initial public participation). The technical details of the proposed development with specific descriptions and dimensions will be updated in the Draft Environmental Impact Report (based on the final site layout plan).
	It has been noted that activity 11 of Listing Notice ("LN") 1 has been applied for, however, the length and capacity of the proposed grid connection infrastructure is not specified. You are advised to provide the abovementioned details.	This has been updated in the tables detailing the affected listed activities. Please note that once the final site layout plan is determined during the EIA phase of the environmental process, the activity description will be updated further to include relevant dimensions and thresholds. A revised application form will also be submitted to the Department.
	Activities 12 of LN1 have been applied for, however the physical footprint of the infrastructure or structures is not specified. Please ensure the details are provided in the amended application form and final scoping report.	The activity descriptions in Table 11 of the Final Scoping report have been updated to reflect the specific thresholds and capacities. Please note that these activity descriptions will be updated again in the Draft Environmental Impact Report once the final preferred

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	For activity 24 and 56 of LN1 it is not clear whether the road will have a reserve or not. In addition, the use of the word "may" in the description does not confirm that these activities are applicable to the proposed development. Therefore, you are advised to refrain from using the word may.	layout is determined. A revised application form will also be submitted at this stage to reflect the updated descriptions.
	It has been noted on page 51 of the draft SR that "the project development will not impact on any CBAs and falls entirely in an ONA (Other Natural Area)". It is also noted that activities 4, 12, 14, and 18 of LN3 have been applied for. However, the relevant site sensitivities as per sub activities are not specified. As such, you are requested to specify the applicable sensitivities/geographical areas, and this information must be clear in the final SR.	The descriptions of the activities under listing notice 3 in Table 11 of the Final Scoping report have been revised to reflect the specific geographical sensitivity triggered. Kindly note that the Preferred Layout alternative will be developed after completion of the initial public participation process (taking into account, the specialist sensitivities as well as the comments received). Should any descriptions or relevant activities change as a result of this preferred alternative, a revised application form will be submitted with the Draft Environmental Impact Report.
	The use of words such as "may be", and statements such as "the relevance of this activity will be determined in the impact assessment phase" is hereby noted. However, kindly be advised that listed activities are not based on a precautionary approach. Please ensure that all the listed activities in the amended application form and final SR are clear, are the same and final for decision making purposes. Should it not be clear that listed activity is triggered, such activity will not be considered in the decision-making process.	The listed activities and descriptions reflected as in the Draft and Final Environmental Impact Report depict those that are potentially triggered by development of the initial study site. Once the Final Site Layout Plan is determined during the Impact Assessment Phase of the Environmental Process, these activities and descriptions will be revised to be specific to the preferred layout. A revised application form will also be submitted to reflect this.
	If the activities applied for in the application form differ from those mentioned in the draft SR, an amended application form must be submitted with the final SR. Please note that the Department's application form template has been amended and can be downloaded	A revised application form will be submitted with the Draft Environmental Impact Report once the Final Preferred Layout is determined.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	from the following link https://www.environment.gov.za/documents/forms.	
	<u>Alternatives</u>	
	Alternatives as included on page 29 to 35 of the draft SR are hereby noted. You are required to provide all the alternatives considered for this development as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014 as amended in the final report. Furthermore, the preferred options for all assessed alternatives must be determined and be clear throughout the EIA report.	The current technology and layout alternatives in Section 2.11 of the Draft and Final Scoping Report. The preferred layout alternative will be presented and assessed in the Impact Assessment Phase of the Environmental Process.
	Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2. However, note that no development will be allowed within sensitive area, mitigation hierarchy should be considered to avoid impacts on sensitive environment.	The preferred alternative presented in the in the Draft Environmental Impact Report will demonstrate how the mitigation hierarchy has been followed to avoid impacts on sensitive environments.
	<u>Layout and Sensitivity Maps.</u>	
	The layout map included as Appendix D of the SR must be amended to include the following: - The PV development area. - Position of all infrastructure e.g., panels, BESS, on-site substations, powerline etc. - Existing roads and other associated infrastructure. - Laydown area; and - The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected.	As outlined in the Draft and Final Scoping Report, the total extent of the affected properties as well as all grid connection alternatives are considered at the scoping phase of the environmental process. During this scoping phase, specialists have determined and spatially mapped the sensitivity of the receiving environment. The environmental sensitivity (including the mapping of no-go areas and buffers that took place during the scoping phase) along with the outcome of the initial public participation process will be used to prepare the site layout plan. This detailed site layout plan will indicate the position of the PV facility as well all associated infrastructure in relation to sensitive features identified by specialists

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- Buffer areas; and - All "no-go" areas. - All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible. - The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments. - A combined map showing all the Cluster Projects (Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV and Makoppa Solar PV). - Ensure that similar colours are not used to differentiate between infrastructure. i.e., items must be easily distinguishable on the legend. - Google maps will not be accepted for decision-making purposes.	and by I&AP's during the initial public participation process. This detailed layout plan will also include any additional requirements identified by the competent authority in their acceptance of the Final Scoping Report (should it be accepted)/ the layout and sensitivity maps will be presented to the Department as part of the Draft Environmental Impact Report and will be assessed by participating specialists. Registered I&AP's and State Departments will be provided with an opportunity to comment on this layout plan as part of the second phase of public participation.
	Public Participation Process ("PPP").	
	Please ensure that all comments from all identified and relevant competent authorities as well as stakeholders have been responded to, addressed and incorporated to the final report. The identified stakeholders must include but are not limited to the Makhado Local Municipality, Vhembe District Municipality, Limpopo: Department of Economic Development, Environment & Tourism ("LEDET"), Limpopo Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation ("DWS"), Wildlife and Environment Society of South Africa ("WESSA"), Birdlife South Africa, South African Civil Aviation Authority ("SACAA"), South African Radio Astronomy Observatory ("SARAO"), Square Kilometer Array ("SKA"), Air Traffic and Navigation Services ("ATNS"),	The Makhado Local Municipality, Vhembe District Municipality, Department of Economic Development, Environment & Tourism, Department of Agriculture and Rural Development, Department of Mineral Resources, Department of Water and Sanitation, Birdlife South Africa, South African Civil Aviation Authority, South African Radio Astronomy Observatory, Square Kilometer Array, Air Traffic and Navigation Services, Eskom, SA National Defence Force and the Department of Forestry, Fisheries and the Biodiversity Conservation Directorates were provided with an opportunity to comment on the Draft Scoping Report. Please refer to appendix F4 for copies of the notifications to these parties. These parties will be

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Endangered Wildlife Trust ("EWT"), Eskom, SA National Defence Force and the Department of Forestry, Fisheries and the Environment ("DFFE"): Protected Areas Planning and Management Effectiveness and Biodiversity Conservation Directorates (BCAdmin@dffe.gov.za), and the relevant heritage authorities.	provided with a further opportunity to provide comment on the Draft Environmental Impact Report. The South African Heritage Resources Agency will be provided with a copy of the Heritage Impact Assessment once completed, in order to provide comment in terms of Section 38(8) of the National Heritage Resources Act.
	The PPP must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Please refer to the table in section 7 of the Final Scoping Report which tabulates how the report complies with of Regulations 39, 40, 41, 42, 43 & 44.
	A Comments and Responses trail report ("C&RR") must be compiled, continuously updated throughout the EIA process for this proposed development starting with the final SR. The C&RR must be a separate document from the main report and must be in the table format, which reflects the details of Interested and Affected Parties (I&APs), the date comments were received (actual comments received) and responses provided.	A Comments and Responses Report (this report) is attached in Appendix F2 of the Final Scoping Report. This is attached as a separate document appended to the Final Scoping Report. All I&AP comments have been reflected verbatim and responded to in detail. This Comment and Responses Report also indicates where the Final Scoping Report has been updated to address comments where necessary.
	Please ensure that all issues raised, and comments received during the circulation of the draft 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 comments received during the circulation of the Draft Scoping report are included in Appendix F5. The responses to each of these comments are included in the comments and responses report (this report) as attached in Appendix F2 of the Final Scoping Report. It must be noted that this comments and responses report also includes details as to how the Final Scoping Report has been updated to address comments received.
	Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments,	Proof of correspondence with all stakeholders (as well as attempts to obtain comments), including the Competent Authority and State

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	proof must be submitted to the CA of the attempts that were made to obtain comments.	Departments are included in Appendix F4 of the Final Scoping Report. All comments received are included in Appendix F5 and all responses to the comments received are included in Appendix F2. Please refer to section 7 of the final Scoping report for details of compliance with regulations 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
	Screening Tool Report	
	It has been noted that the screening tool reports dated 13 March 2025 for Klipput Solar PV and powerline alternatives 1, 2 and 3 submitted with the application form and the draft SR are not signed by the compiler. You are advised to ensure that all signed screening tool reports are submitted with the amended application form and the final SR.	The Screening Tool Reports attached in Appendix H of the Final Scoping report has been updated to include the compiler's signature. The compiler in this regard is the EAP.
	Specialist Assessments	
	According to page 5 of 15 of the screening tool report dated 13 March 2025 for Klipput Solar PV, the defence theme is rated as very high in terms of sensitivity, while the agriculture and civil aviation themes are rated high in terms of sensitivity. The animal species and palaeontology themes have medium sensitivity. The aquatic biodiversity, archaeology and cultural heritage, plant species, and terrestrial biodiversity themes are rated low in terms of sensitivity. In addition, you are advised to ensure that themes for all powerline alternatives are considered, site sensitivity reports and studies are undertaken accordingly.	A separate screening tool was generated for each of the Grid connection alternatives in addition to that of the PV side. The sensitivities identified in the screening tool for the Grid connection Alternatives aligned with those for the PV site. All specialist SSVR's included verification of the sensitivities for both the PV Facility as well as the Grid Connection Alternatives. The Plan of study for EIR has been adapted to ensure the sensitivity of the defence theme is assessed as part of the EIA phase of the Environmental Process.
	Site sensitivity verification reports that have been submitted are hereby noted. These must comply with requirements of the relevant protocols.	The Terrestrial Biodiversity (inclusive of Plants and Animal Species), Aquatic Biodiversity, Avifauna and Agricultural SSVR's were prepared specifically in terms of the relevant protocols. Each of

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		these specialists have provided a checklist in the report detailing how the repot complies with the protocols.
	You are advised to specify in the Plan of Study for the EIA, all the specialist studies to be conducted.	Section 6 of the Final Scoping Report (Plan of Study for EIR) identifies the specialists that will be undertaking assessments in the Environmental Impact Reporting phase of the Environmental Process. It furthermore identifies which of these will be full impact assessments and which will be compliance statements (based on the verified site sensitivity).
	Specialist Declaration of interest forms must be attached for all specialist studies to be conducted in the final SR. The forms are available on Department's website (please use the Department's template).	Please refer to Appendix G4.
	Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of proposed rehabilitation.	The detailed methodology of each specialist is described in their reports attached in Appendices E1 – E7. The locations and description any proposed rehabilitation interventions will only be presented in the Impact Assessment Reports, once the preferred layout alternative is determined.
	The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.	The limitations of all specialists are included in their respective reports and summarised in sections 1.3.1 to 1.3.6 of the Draft and Final Scoping Reports. Seasonality was not identified as a limitation of any of the specialists.
	Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defendable reasons; and where necessary, include further expertise advice.	None of the participating specialists specified any contradicting recommendations at this stage of the environmental process. During the Environmental Impact Assessment Phase of the Environmental Process, the EAP will review the detailed specialist mitigations as well as the environmental impact management

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		outcomes and actions to determine whether or not there are any conflicting recommendations.
	Ensure that specialist studies as identified in the screening tool, comply with the requirements of GN 320 of 20 March 2020 and GN 1150 of 30 October 2020, unless proof is provided that indicates that the specialist study was commissioned within 50 days after the date of gazetting of the notice i.e., 20 Mach 2020 and was commissioned prior to 30 October 2020 respectively. Failure to comply with the above-mentioned notice presents a risk to this application.	All specialists related to the themes where Procedures for the Assessment and Minimum Criteria for Reporting has been determined in the regulations have complied with these themes. These themes include: 1. Terrestrial Biodiversity, 2. Animal Species, 3. Plant Species, 4. Aquatic Biodiversity, and 5. Agriculture. Please note that in terms of the Animal Species theme, a separate SSVR has been undertaken for avifaunal species (a separate avifaunal impact assessment will also be undertaken). Each of the specialists responsible for the themes above have included tables detailing how their report complies with these themes in Appendices E1-E3 and Appendix E5.
	Please note further that the protocols require certain specialists' to be registered with SACNASP. Refer to the relevant protocols in this regard.	All specialists identified in terms of the protocols (Terrestrial Biodiversity, Animal Species, Avifauna, Plant Species and Agriculture) are appropriately registered with SACNASP as follows: - Tarryn Martin (Plant Species) - Pri. Sci. Nat 008745. - Nicole Dealtry (Terrestrial Biodiversity and Animal Species) - Pri. Sci. Nat. 130289. - Dr Lindi Steyn (Avifauna) – Pri.Sci.Nat. 119992. - Prasheen Singh (Aquatic Biodiversity) – Pri. Sci. Nat 116822.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		- Mariné Pienaar (Agricultural) – Pri. Sci. Nat. 00274/10.
	Please include a table in the final SR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, as per the requirements of the Protocols. The specialist input must be supported by comments from relevant provincial authorities, relevant directorates within DFFE, and Non-Governmental Organisations (NGO's) which have jurisdiction in respect of the proposed activity.	A list of specialist and the level of reports (i.e. Compliance Statement or Impact Assessment) has been tabulated in section 6.3 of the Draft and Final Scoping Report.
	Should it be determined that there is a need for additional specialist studies to be undertaken based on the outcome of public participation, these must be commissioned and be included in the draft EIA reports for public comment	The outcome of the initial public participation process (25 April 2025 – 27 May 2025) has not identified any additional specialist studies (other than those already listed in the Plan of Study for EIR). Should the Department Identify any additional studies in their acceptance of the Final Scoping Report, these will be considered.
	Environmental Management Programme	
	It is noted that activity 11 of Listing Notice 1 has been applied for. Please ensure that the generic EMPr that complies with the GN 435 of March 2022 is used for the management of impacts of the substation and power line that will be constructed for this development are submitted to the CA.	These requirements will be included in the EMPr (including Generic EMPr for Substation and Powerline Infrastructure) which will be presented in the Draft Environmental Impact Report.
	Part B: Section 2 of the generic EMPr must be completed, and a copy of an originally signed generic EMPr must be submitted with the amended BAR. Please ensure that Point 7.1.1 in Part B: Section 2	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	match the details of the Applicant as contained in the amended application form and final BAR.	
	If any specific environmental sensitivities/attributes are present on site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage such impacts, those impact management outcomes and actions must be included in Section C of the generic EMPr.	
	The EMPr for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.	
	Cumulative Assessment	
	Noting that this project is part of the cluster and there may 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: - The cumulative impacts assessment must consider the existing, authorised but not yet developed, the proposed similar development and powerline in the area. - 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.	The Plan of study for Impact Assessment as outlined in section 6 of the Final Scoping Report includes the requirements for both the EAP and participating specialists to comply with these requirements when assessing the cumulative impacts of this project. Please note that the assessment of cumulative impacts will firstly assess the cumulative impact of the 4 projects forming part of this cluster of PV projects, and secondly to assess the cumulative impacts of these four projects along with other similarly authorised projects within a 30km radius.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- A cumulative impact environmental statement on whether the proposed development must proceed.	
	General	
	You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority".	The Draft Scoping report was subjected to a public participation period of 30 days and this final scoping report is herewith submitted to the competent authority within 44 days of the receipt of the application form as required in regulation 21(1) of the NEMA EIA Regulations 2014, as amended.
	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.	Please refer to the table on page 9 of the Final Scoping report, which details how the report has complied with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.
	Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).	This final scoping report is submitted within the timeframes allowable in terms of the regulations.
	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 and the EAP are aware of this requirement.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
28/05/2025 Via Email Ms Thulisile Nyalunga - Chief Directorate: Integrated Environmental Authorisations. Department of Forestry, Fisheries and the Environment **MAKOPPA SOLAR PV**	**(a) Listed Activities and Application Form**	
	(i) Please update the application form with details such as vegetation clearance, access road length and width, and development footprint. Any relevant thresholds or footprints for the development must be included where necessary.	The activity descriptions in Table 11 of the Final Scoping report have been updated to reflect the specific thresholds and capacities. The descriptions of the activities under listing notice 3 in Table 11 of the Final Scoping report have been revised to reflect the specific geographical sensitivity triggered.
	(ii) If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link: https://www.environment.gov.za/documents/forms.	Kindly note that the Preferred Layout alternative will be developed after completion of the initial public participation process (taking into account, the specialist sensitivities as well as the comments received). Should any descriptions or relevant activities change as a result of this preferred alternative, a revised application form will be submitted with the Draft Environmental Impact Report.
	(b) Screen Tool Report	
	(i) It has been noted that the screening tool report on page 1 of 17 requires a compiler signature. Please submit the signed screening report with the final SR.	The Screening Tool Report attached in Appendix H of the Final Scoping report has been updated to include the compiler's signature. The compiler in this regard is the EAP.
	(c) Locality, Site Layout and Sensitivity Maps	
	The report must provide the following:	
	(i)A clear description of all associated infrastructure. This description must include, but is not limited to the following: - Powerlines and substation; - Internal roads infrastructure; and;	The description in the Final Scoping Report has been updated to reflect components as currently available. Please note that the Final Preferred layout will only be presented in the Draft Environmental Impact Report, taking into account the site sensitivities and the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- All supporting onsite infrastructure such as laydown area and auxiliary buildings, dangerous goods facility etc.	outcome of the initial public participation process. Once this preferred layout alternative is determined, all project descriptions will be updated accordingly.
	(ii)All necessary details regarding all possible locations and sizes of the proposed solar PV infrastructure.	
	(iii) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following: - Permanent laydown area footprint; - 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, streams and water crossings 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, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; - Substation(s) and/or transformer(s) sites, including their entire footprint; - Location of access and service roads; - Connection routes (including pylon positions) to the distribution/transmission network; - All existing infrastructure on the site, especially railway lines and roads; - Buffer areas; - Buildings, including accommodation;	As outlined in the Draft and Final Scoping Report, the total extent of the affected properties as well as all grid connection alternatives are considered at the scoping phase of the environmental process. During this scoping phase, specialists have determined and spatially mapped the sensitivity of the receiving environment. The environmental sensitivity (including the mapping of no-go areas and buffers that took place during the scoping phase) along with the outcome of the initial public participation process will be used to prepare the site layout plan. This detailed site layout plan will indicate the position of the PV facility as well all associated infrastructure in relation to sensitive features identified by specialists and by I&AP's during the initial public participation process. This detailed layout plan will also include any additional requirements identified by the competent authority in their acceptance of the Final Scoping Report (should it be accepted)/ the layout and sensitivity maps will be presented to the Department as part of the Draft Environmental Impact Report and will be assessed by participating specialists. Registered I&AP's and State Departments will be provided with an opportunity to comment on this layout plan as part of the second phase of public participation.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- All “no-go” areas; and - A north arrow and legend/key, to enable the Department to interpret the layout map.	
	(iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.	This will be included with the final Site Layout Map of the preferred alternative which will be presented and assessed in the Environmental Impact Assessment Phase of the Environmental Process.
	(v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.	This will be included with the final Site Layout Map of the preferred alternative which will be presented and assessed in the Environmental Impact Assessment Phase of the Environmental Process.
	(d) Draft SR Comments	
	(i) Please update the Technical Details of the proposed development with specific descriptions and dimensions of the components to be determined.	The technical details in the Final Scoping report have been updated to reflect as much information as currently available. As outlined in the Draft and Final Scoping Reports the final preferred layout alternative (inclusive of all associated infrastructure) will be presented in the Draft Environmental Impact Report (as this layout needs to be informed by the site sensitivity and outcome of the initial public participation). The technical details of the proposed development with specific descriptions and dimensions will be updated in the Draft Environmental Impact Report (based on the final site layout plan).
	(ii) Please note that Appendix 1(3)(1)(h)(x) of the Environmental Impact Assessment (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	The description of alternatives is included in sections 2.1.1 to 2.1.5 of the Draft and Final Scoping Reports. The preferred layout

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	in the report. You are therefore required to provide a motivation should other alternative sites, routes, layouts, and technologies not be considered.	alternative will be presented and assessed as part of the Draft Environmental Impact Report.
	(e) Specialist Declaration Forms	
	(i) Please ensure that details of the specialists that prepared the specialist reports, including their curriculum vitae and specialist declarations of independence, are included in the Report. You are referred to Appendix 6 (1) (1) (a)-(b) of the EIA Regulations, 2014, as amended).	All specialists identified in terms of the protocols (Terrestrial Biodiversity, Animal Species, Avifauna, Plant Species and Agriculture) are appropriately registered with SACNASP as follows: - Tarryn Martin (Plant Species) - Pri. Sci. Nat 008745. - Nicole Dealtry (Terrestrial Biodiversity and Animal Species) - Pri. Sci. Nat. 130289. - Dr Lindi Steyn (Avifauna) – Pri.Sci.Nat. 119992. - Prasheen Singh (Aquatic Biodiversity) – Pri. Sci. Nat 116822. - Mariné Pienaar (Agricultural) – Pri. Sci. Nat. 00274/10. Copies of the Specialist CV's are attached in Appendix G6 and Copies of the Specialist Declarations of Independence are included in Appendix G4.
	(f) Public Participation Process	
	(i) The public participation process must include the following:	
	- Proof of fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the site and corridor;	Please refer to Appendix F3 of the Final Scoping Report.

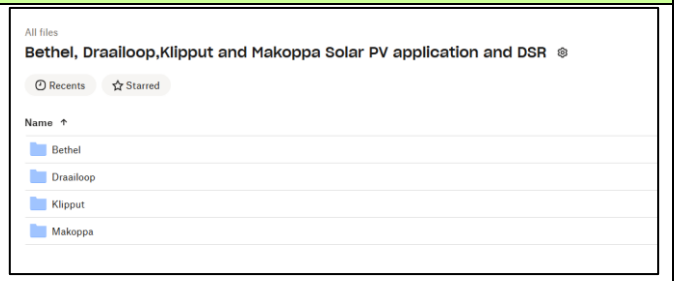
Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	- Proof of the newspaper advertisement;	Please refer to Appendix F3 of the Final Scoping Report.
	- Proof of a notice, notice board or advertisement	Please refer to Appendix F3 of the Final Scoping Report.
	- Proof of the written notification to the interested and affected parties.	Please refer to Appendix F4 of the Final Scoping Report.
	(ii) The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development, including but not limited to the Department of Economic Development, Environment & Tourism (DEDET), Makhado Local Municipality, Vembe District Municipality, Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Conservation (BCAdmin@environment.gov.za), the Department of Water and Sanitation, the relevant heritage authorities.	The Department of Economic Development, Environment & Tourism, Makhado Local Municipality, Vhembe District Municipality, Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Conservation, the Department of Water and Sanitation and SAHRA (along with other relevant authorities) were provided with an opportunity to comment on the Draft Scoping Report. Please refer to Appendix F4 for evidence in this regard.
	(iii) Proof of correspondence 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. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.	Proof of correspondence with all stakeholders (as well as attempts to obtain comments), including the Competent Authority and State Departments are included in Appendix F4 of the Final Scoping Report. All comments received are included in Appendix F5 and all responses to the comments received are included in Appendix F2. Please refer to section 7 of the final Scoping report for details of compliance with regulations 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
	(iv) A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must be a separate document from the main report and the format must be in the table format, which reflects the details of the interested and affected parties (I&APs) and the date comments were received, actual comments received, and responses provided. Please ensure that all issues raised and comments received	A Comments and Responses Report (this report) is attached in Appendix F2 of the Final Scoping Report. This is attached as a separate document appended to the Final Scoping Report. All I&AP comments have been reflected verbatim and responded to in detail. This Comment and Responses Report also indicates where the

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	Final Scoping Report has been updated to address comments where necessary.
	(g) Specialist Assessments to be conducted in the EIA phase	
	(i) Please note that 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), have come into effect. Please note that specialist assessments must be conducted per these protocols.	All specialists related to the themes where Procedures for the Assessment and Minimum Criteria for Reporting has been determined in the regulations have complied with these themes. These themes include: 1. Terrestrial Biodiversity, 2. Animal Species, 3. Plant Species, 4. Aquatic Biodiversity, and 5. Agriculture. Please note that in terms of the Animal Species theme, a separate SSVR has been undertaken for avifaunal species (a separate avifaunal impact assessment will also be undertaken). Each of the specialists responsible for the themes above have included tables detailing how their report complies with these themes in Appendices E1-E3 and Appendix E5.
	(h) Cumulative Assessment to be conducted in the EIA phase	

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	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.	The Plan of study for Impact Assessment as outlined in section 6 of the Final Scoping Report includes the requirements for both the EAP and participating specialists to comply with these requirements when assessing the cumulative impacts of this project. Please note that the assessment of cumulative impacts will firstly assess the cumulative impact of the 4 projects forming part of this cluster of PV projects, and secondly to assess the cumulative impacts of these four projects along with other similarly authorised projects within a 30km radius.
	General	
	You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: "If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"	The Draft Scoping report was subjected to a public participation period of 30 days and this final scoping report is herewith submitted to the competent authority within 44 days of the receipt of the application form as required in regulation 21(1) of the NEMA EIA Regulations 2014, as amended.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.	Please refer to the table on page 9 of the Final Scoping report, which details how the report has complied with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.
	Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).	This final scoping report is submitted within the timeframes allowable in terms of the regulations.
	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 and the EAP are aware of this requirement.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
26/05/2025 Via Email Megan Bromfeild - Renewable Energy Consultation Associate - Vulpro	Thank you for giving Vulpro the opportunity to comment on the Bethel Solar PV, Draailoop Solar PV, Klipput Solar PV, and Makoppa Solar PV Draft Scoping Reports. We note that the avifaunal specialists have appropriately identified the vultures present in the area. However, we would like to highlight that Cape Vultures have been recorded roosting overnight just south of the Eskom Tabor Substation on the transmission TABOR-WITKOP 1 and 2 Lines, as well as the SPENCER-TABOR 1 Line. We suggest that the avifaunal specialists take this into account when conducting their environmental assessment. In addition, all appropriate mitigation measures to address both power line electrocution and collision risks must be thoroughly considered. We will review the Environmental Impact Assessments (EIA) once they become available and provide further input if necessary.	Thank you for your comment on the Draft Scoping Reports for the proposed Bethel, Draailoop, Klipput and Makoppa PV projects and their associated grid connections. Thank you for highlighting the presence of overnight roosting of Cape Vulture on the existing Tabor/Witkop and Spencer/Tabor lines. This Information has been provided to the Avifaunal Specialist for consideration as part of the EIA Phase of the Environmental Process.
20/05/2025 Via Email	The Dropbox link isn't working, do you mind resending. Thanks in advance.	The link was checked by Cape EAPrac and has confirmed to be working. The report was provided to the I&AP via an alternative download link. https://we.tl/t-GXbThSZYh5

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
Emma Campbell - Atlantic Renewable Energy Partners		
	Confirmed receipt of documentation.	This is noted.
20/05/2025 Via Email Siboniso Khumalo	Online Registration via Cape EAPrac website received.	Registration confirmed. This party has been added to the I&AP register – Please refer to Appendix F1 of the Final Scoping Report.
	Thank you for your email and acknowledgement of our registration. Just to advise on our interest in the planned development. We are a Renewable energy project developer based in Polokwane. We have a long term lease on farm 429 and 435 from The Chatleka CPA for similar developments.	Registration confirmed. Farm 429 and Farm 435 are situated to the North of the Bethel, Draailoop, Makoppa and Klipput solar PV projects and will not be affected by any of the PV projects nor associated grid connection infrastructure under the current applications.
07/05/2025 Via Email John Geeringh - Senior Consultant Environmental Management, National Transmission Company South Africa	Please send me KMZ files of the proposed development. Please find attached Eskom requirements and a setbacks guideline for RE Development that must be read in conjunction with GN R 4143.	The KMZ's of each of the 4 projects was provided to Mr Geeringh. The Eskom Requirements and Setback Guidelines will be incorporated into the Environmental Management Programme, which will form part of the Draft Environmental Impact Report. These

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
		requirements will also be considered and implemented by the applicant during the final design stages of the projects
07/05/2025 Via Online Website Registration M Lephoswe	Online Registration via Cape EAPrac website received.	Registration confirmed. This party has been added to the I&AP register – Please refer to Appendix F1 of the Final Scoping Report.
02/05/2025 – 06/05/2025 Via Email Motshewa Matimolane - Chatleka Community Property Association	Thank you for the notice. I have manage to download the Makoppa, Draailoop and the Klipput reports. I'm struggling with the Bethuel report. Could you please send it to me. I'm part of the Chatleka CPA, and I seat on their extended EXCO. Could you please register the CPA as an interested and affected party and the people copied in this email. It is critical to ensure that these projects are not on farms that are subject to our claims. That will invite serious objections from us.	Bethel Report Provided via email on 02 May 2025. Registration confirmed. This party has been added to the I&AP register – Please refer to Appendix F1 of the Final Scoping Report.
	Could you kindly please forward us copies of landowner consent for all 4 projects - appendix G2 of the scoping reports.	Landowner consents were provided on 06 May 2025. Please refer to appendix F5.
	1.Failure to Acknowledge Ongoing Land Claims The report fails to acknowledge that the Remaining Portion of Farm Draailoop 430 LS, which is earmarked for development, is currently subject to a land claim by the Chatleka CPA. This represents a fundamental oversight and raises serious questions about the due diligence undertaken in preparing this report. The omission disregards	A letter was received by the applicant from the Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo) on 19 September 2024. This letter confirmed that there was a land claim on the Remainder of the Farm Draailoop 430 by the Batlokwa Tribe. This letter furthermore

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	the legal and historical claims of the Chatleka CPA and its members, many of whom were dispossessed under past discriminatory laws. Proceeding with development on this land prior to the resolution of the land claim risks undermining the legitimacy and outcomes of the restitution process.	confirms that this claim from the Batlokwa Tribe has subsequently been dismissed. As confirmed in the abovementioned letter from the regional Land Claims Commissioner (Refer to Appendix F5), the Chatleka CPA is not listed as a claimant on any of the affected portions. If there is further concern, this matter needs to be dealt with between Chatleka CPA and the Office of Regional Land Claims Commissioner.
	2. Inadequate Treatment of Ancestral and Indigenous Rights The report makes only passing reference to the ancestral ties of indigenous communities to the broader project area, which includes Bethel, Makkoppa, and Klipput. Statements such as, "The development and growth of the urban core is limited because of ongoing land claims," and, "The land restitution process restricts investment and the development of land," are reductive and do not adequately engage with the full socio-historical context. These remarks frame land claims as obstacles rather than recognizing them as legitimate rights protected under South African law and the Constitution. The lack of detail on how these matters will be addressed suggests a dismissive attitude toward the rights of indigenous communities	Thank you for identifying this aspect as a concern. Kindly note that this report constitutes a Scoping Report, which is the first stage of the environmental process. The main purpose of this scoping report is to provide local communities with an opportunity to raise issues of concern in respect of environmental matters. The Chatleka CPA's concern regarding the ancestral ties of indigenous communities to the broader project area will be provided to the Social and Heritage Specialists for consideration in the Environmental Impact Reporting phase of this environmental process. It should be noted that the EAP, Developer and Specialists have no authority to legitimize any land claim, the Developer requested confirmation from the Regional Land Claims Commissioner (refer to response above) to confirm the status of all valid land claims so as to ensure that any valid claimants can be engaged in the environmental process.
	3. Lack of Meaningful Empowerment and Ownership for Affected Communities The report does not sufficiently explore real empowerment for historically dispossessed communities. The model of leasing land to developers without affording affected communities meaningful ownership stakes in the project does not meet the threshold of economic	Further engagement from the EAP and Social specialist will take place during the Impact Assessment Phase of the Environmental Process. The applicant has also expressed a willingness to meet and engage with your CPA, should a valid land claim be pending on the Project property.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	justice or transformation. The CPA and other rightsholders should not be relegated to passive recipients of rental income while others derive long-term economic benefit and control from their ancestral land.	It must be noted that detailed stakeholder engagement on specific Local Economic Development Projects only takes place once the project is awarded as a Preferred Bidder or enters the financial close process, at which stage, a stakeholder engagement specialist will engage directly with affected communities.
	The Social Scoping Report, as it currently stands, fails to meet its mandate to provide a comprehensive and socially just assessment of the project's impacts.	This current report provides a baseline as required in appendix 2 of the EIA regulations. This gives affected or potentially affected parties an opportunity to provide comment and or raise concerns that need to be addressed in the Impact Assessment Phase of the Environmental Process. The Chatleka CPA's comments have been provided to the social specialist for consideration in the next phase of the study.
	It does not account for material land rights, nor does it propose any framework for fair participation, restitution, or empowerment of the communities most directly affected. I strongly urge that this report be revised to include: A full acknowledgement of the land claim on Draailoop 430 LS by Chatleka CPA (and other land claims in the area).	As mentioned under point 1 of this response, the Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo), does not list the Chatleka CPA as a claimant on the Remainder of farm Draailoop 430 (Appendix F5). To the extent Chatleka CPA believes that there has been an oversight, the CPA is advised to approach the Office of the Reginal Land Claims Commissioner: Limpopo.
	A detailed examination of the historical and cultural significance of the area to indigenous communities.	The Heritage specialist will be requested to consider this aspect as part of the Heritage Impact Assessment. This Heritage Impact Assessment will be provided to all I&APs during the public participation process associated with the Draft Environmental Impact Assessment phase of the Environmental process. We confirm that the Chatleka CPA has been added to the I&AP register for this project.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Clear commitments to community ownership and fair distribution of benefits should the project go ahead.	The concern is noted and will be given due consideration based on the findings of this assessment and other initial feasibility studies. We look forward to further engagement with the Chatleka CPA as part of this environmental process.
06/05/2025 Via Online Website Registration Motz Ntimo	This letter serves as a formal objection to all four proposed solar projects on the fundamental basis that the Draft Scoping Report fails to acknowledge, address, or meaningfully engage with the current land claim processes affecting the farms in question, and that the Communal Property Associations (CPAs) in the area—the rightful claimants to portions of this land—have been systematically excluded from meaningful consultation.	According to a letter received from the Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo) on 19 September 2024, none of the CPA's are registered as claimants on any of the affected farm portions. To the extent any of the CPA's believes that there has been an oversight, the CPA is advised to approach the Office of the Reginal Land Claims Commissioner: Limpopo. The intent was never to exclude meaningful consultation with any party and the purpose of the scoping phase of the environmental process is to allow parties (such as CPA's) an opportunity to raise concerns, so that they may be considered in the in the next phase of the environmental process, where further engagement can take place.
	The Silenced Heritage of Our Land The land upon which these solar projects are proposed is not merely vacant space awaiting development. It is land steeped in history, memory, and unresolved justice. Our CPAs have become vessels for hope and justice—organized frameworks through which our communities assert their rights within South Africa's post-apartheid legal system. Their purpose remains clear: to restore our communities' legal	Thank you for identifying this aspect as a concern. Kindly note that this report constitutes a Scoping Report, which is the first stage of the environmental process. The main purpose of this scoping report is to provide local communities with an opportunity to raise issues of concern in respect of environmental matters. The CPA's concerns in the broader project area will be provided to the Social and Heritage Specialists for consideration in the Environmental Impact Reporting phase of this environmental process. It should be noted

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	title to the ancestral lands of our forebears and to steward that land responsibly for future generations. Yet the journey toward restitution has been long, arduous, and frequently obstructed by bureaucratic inertia, corporate interests, and institutional neglect. Now, these ancestral lands stand at the center of yet another contestation where our rights risk being overlooked in the name of development.	that the EAP, Developer and Specialists have no authority to legitimize any land claim, the Developer requested confirmation from the Regional Land Claims Commissioner (See Appendix F5) to confirm the status of all valid land claims so as to ensure that any valid claimants can be engaged in the environmental process
	The Gravity of This Omission Your Draft Scoping Report makes no meaningful mention of the ongoing land claims affecting multiple farms identified in your proposal, including: • Farm 431 • Remainder of Farm 466 • Portion 1 of Farm 425 • Remainder of Farm 430 • Portion 1 of Farm 466 This omission is not merely a technical flaw—it represents a profound moral failure. It perpetuates a deeper pattern of marginalization where dispossessed communities are again rendered invisible in the name of progress. To understand the gravity of this oversight, one must comprehend what land means in the African context. Land is not simply property—it is the anchor of identity, the site of cultural rituals, the keeper of history. When we speak of ancestral land, we speak not with nostalgia alone, but with a sense of sacred duty.	As outlined above, based on Correspondence from the Regional Land Claims Commission, the EAP does not believe this to be an omission. As noted, the purpose of the scoping phase of the environmental process is to allow affected parties and communities to identify their concerns so that further engagement can take place.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	Development Cannot Be Built on Erasure What lies beneath the surface of these farms is not only geological potential or solar yield—it is centuries of human connection. Development cannot be sustainable when it is built on the erasure of memory and the silencing of rightful claimants. Any project that seeks to harvest the sun on this soil must first account for the shadow of history that lies across it. We do not stand against renewable energy or South Africa's necessary energy transition. But we insist that development must be just, inclusive, and historically conscious. Land restitution is not a bureaucratic formality—it is a constitutional imperative. It is about restoring dignity, correcting historical wrongs, and enabling communities to determine their own futures.	It should be noted that the EAP, Developer and Specialists have no authority to legitimize any land claim, the Developer requested confirmation from the Regional Land Claims Commissioner (See Appendix F5) to confirm the status of all valid land claims so as to ensure that any valid claimants can be engaged in the environmental process. We can now confirm that you have been registered as a key stakeholder and that further engagement can take place during the environmental impact assessment phase of the environmental process.
	Specific Objections to the Draft Scoping Report 1. Failure to Identify Affected CPAs: The report fails to identify and acknowledge the CPAs that have lodged claims on the affected properties or are in the process of doing so. 2. Absence of Meaningful Consultation: The CPAs with legitimate interests in these lands have not been included in the stakeholder engagement process in any meaningful way. 3. Procedural Irregularity: By not addressing existing land claims, the report violates Section 2(4)(f) of NEMA, which requires the participation of all interested and affected parties in environmental governance. 4. Social Impact Assessment Deficiency: The social baseline and impact assessment fails to consider how these developments would affect the	The purpose of the Scoping Report is to provide a mechanism for affected parties or communities to raise such concerns, so that they may be considered and addressed in the next phase of the environmental process. We look forward to further engagement in this regard, should the competent authority allow this project to proceed to the next stage of the environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	land rights and future livelihood options of community members with pending land claims. 5. Economic Transformation Failure: The proposed projects offer no meaningful role for land claimant communities in ownership, participation, or control of the developments on their ancestral lands.	
	Our Position and Way Forward Our communities do not oppose solar development in principle; we oppose the notion that it can be planned and implemented without our participation and prior consent. We resist the assumption that empowerment means leasing ancestral land to outside developers while remaining peripheral to the long-term benefits. We therefore demand: 1. Immediate suspension of the environmental authorization process until all affected CPAs have been properly identified and meaningfully consulted. 2. Revision of the Draft Scoping Report to include comprehensive information about existing land claims on all affected properties. 3. Development of a framework for meaningful participation of CPAs in decision-making regarding the proposed developments. 4. Consideration of benefit-sharing mechanisms that recognize the rights and interests of land claimants, including potential ownership stakes in the projects.	As noted above, the CPA's concern and proposed concerns and position has been noted and recorded in the scoping report. These concerns will be considered further with inputs from relevant specialists and further engagement during the Impact Assessment Phase of the Environmental Process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
	5. Acknowledgment that the current process has failed to meet the constitutional and legal standards for consultation with affected communities. The roots of our communities run deep—beneath the surface of policies, reports, and projects. To ignore them is to risk building progress on shaky ground. But to honor them is to lay the foundation for a future that is not only bright, but just. We await your urgent response to these concerns	
06/05/2025 Via Online Website Registration Solomon Mongalo	Registration only.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
05/05/2025 Via Online Website Registration Sinkie Nkosi	Registration only.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
05/05/2025 Via Online Website Registration Siboniso Khumalo	Interested Party and would like to know more about these developments.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
05/05/2025 Via Online Website Registration Matome Richard Malefo	Against the project on our Chatleka CPA farms. Hands off.	The Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo), does not list the Chatleka CPA as a claimant on any of the affected Farms (Appendix F5). To the extent Chatleka CPA believes that there has been an oversight, the CPA is advised to approach the Office of the Reginal Land Claims Commissioner: Limpopo.
05/05/2025 Via Online Website Registration Makgetsi Matimolane	Affected beneficiary from Chatleka CPA, restitution land claimant	The Commission on Restitution of Land Claims (Office of the Reginal Land Claims Commissioner: Limpopo), does not list the Chatleka CPA as a claimant on any of the affected Farms (Appendix F5). To the extent Chatleka CPA believes that there has been an oversight, the CPA is advised to approach the Office of the Reginal Land Claims Commissioner: Limpopo.
25/04/2025 Via Email Canny Mosebjadi Mothapo: South African Civil Aviation Authority:	Thank you for the EIA notification, may you kindly resend the attachments to environment@caa.co.za and delist all other SACAA email addresses on your database. Kindly save and send your environmental impact analysis reports/meeting requests and request for comments to environment@caa.co.za, going forward please.	environment@caa.co.za has been registered as an I&AP for this environmental process. All other CAA email addresses have been deregistered.

Date of Comment, format of comment, name of organization/I&AP	Comment	Response
COMMENTS RECEIVED PRIOR TO SUBMISSION OF THE DRAFT SCOPING REPORT		
06/04/2025 Via Online Website Registration Justine Wtngaardt – JUWI Renewable Energies	Kindly Register myself as an I&AP OBO JUWI Renewable Energies.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
07/03/2025 Via Online Website Registration Stephan Jacobs – WKN Windcurrent	Registration only.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
18/02/2025 Via Email Johann Killian – ABO Energy South Africa (Pty) Ltd	Please register me as an I&AP for the Proposed Tabor Solar PV Facilities and Integrated Grid Connection Infrastructure project.	I confirm that we have registered you as an I&AP for the Proposed Tabor Solar PV Facilities and Integrated Grid Connection Infrastructure project. We will notify you once the Draft Scoping Report is available for review and comment.
07/02/2025 Via Email Atlantic Energy Partners	May I kindly ask that you please register the Developer of the Belle Projects, Atlantic Energy Partners, as I&APs for the proposed Tabor Solar PV Facilities as well?	We hereby confirm that your contact details have been added to the stakeholder register for the above mentioned project and we will be sure to keep you informed throughout the remainder of the environmental application process.

07/03/2025 Via Online Website Registration Zakiya Abrahams - WKN Windcurrent	Registration only.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
05/02/2025 Via Online Website Registration Lusani Madali	Request for registration as I&AP.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.
04/02/2025 Via Email Bluecrane Environmental	Request for registration as I&AP.	We hereby confirm that your contact details have been added to the stakeholder register for the above mentioned project and we will be sure to keep you informed throughout the remainder of the environmental application process.
31/01/2025 Via Online Website Registration David Nunez	Registration only.	Your contact details have been added to the stakeholder register and we will be sure to keep you informed throughout the remainder of the environmental process.