

Francois Byleveld

From: Francois Byleveld
Sent: Thursday, 23 October 2025 11:26
To: 'lim.dwaal.unif@saps.gov.za'
Cc: Dale Holder
Subject: Benya Solar PV Facility and Associated Grid Connection Infrastructure

Tracking:	Recipient	Delivery
	'lim.dwaal.unif@saps.gov.za'	
	Dale Holder	Delivered: 2025/10/23 11:26

Good morning,

I trust you are doing well.

Thank you very much for taking my call earlier as well as for your assistance.

As discussed, we have included you on the stakeholder register for this project and will be sure to inform you of the availability of the reports when they become available.

Thank you again for your assistance.

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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Please Note: When registering as an Interested and Affected Party (I&AP) for any of our environmental projects, or submitting comment on the same, you automatically consent to the lawful processing, publishing and distribution of your personal information, as provided by yourself via submissions, for the purpose specific intent of participating in an environmental process, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Kindly view our [Privacy Statement](#) for more information (www.cape-eaprac.co.za).

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Francois Byleveld

From: Francois Byleveld
Sent: Thursday, 23 October 2025 11:01
To: 'maxwellmagetse0@gmail.com'
Cc: Dale Holder
Subject: Benya Solar PV and Associated Grid Connection Infrastructure

Tracking:	Recipient	Delivery
	'maxwellmagetse0@gmail.com'	
	Dale Holder	Delivered: 2025/10/23 11:01

Good morning Cllr Magetse,

I trust you are doing well.

Thank you very much for taking my call earlier and for your assistance.

As discussed, we have included you on the stakeholder register for this project and will be sure to inform you of the availability of the reports when they become available.

As discussed, we will also translate any notifications and advertisements into Setswana to promote access in the Ward 5 community. We were also able to arrange with the Dwaalboom Clinic to leave a physical copy of the report available to the public.

Thank you again for your assistance.

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

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this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

Francois Byleveld

From: stuart@gunnattorneys.co.za
Sent: Tuesday, 21 October 2025 15:20
To: Dale Holder; Francois Byleveld
Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za
Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

You don't often get email from stuart@gunnattorneys.co.za. [Learn why this is important](#)

Good day Dale

Thank you for the update. We await the Draft Environmental Impact Report for comment.

Kind regards,



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STUART TREDGOLD

LLB

CELL: +27 (0) 78 019 2160

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

From: Dale Holder <dale@cape-eaprac.co.za>
Sent: Tuesday, 21 October 2025 14:36
To: stuart@gunnattorneys.co.za; Francois Byleveld <francois@cape-eaprac.co.za>
Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za
Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Stuart

Thank you for the email. There are still a number of assessments that are currently underway by various specialists. These are nearing completion, and it is likely that we will be able to provide the latest information for review and comment (in the form of the Draft Environmental Impact Report and associated specialist studies) in early November.

Kind Regards,

Dale

Dale Holder

SENIOR ENVIRONMENTAL PRACTITIONER

Cape EAPrac

NDip Nat.Con

EAPASA Reg. 2019/301

From: stuart@gunnattorneys.co.za <stuart@gunnattorneys.co.za>
Sent: Tuesday, 21 October 2025 14:23
To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za

Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Dale

The emails below refer.

Please may you provide us with any updates on the status of the EA application for the proposed Benya Solar PV project?

Kind regards,



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STUART TREDGOLD

LLB

CELL: +27 (0) 78 019 2160

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

From: tim@gunnattorneys.co.za <tim@gunnattorneys.co.za>

Sent: Wednesday, 13 August 2025 15:24

To: 'Dale Holder' <dale@cape-eaprac.co.za>; 'Francois Byleveld' <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; stuart@gunnattorneys.co.za

Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Afternoon Dale,

Great, thank you so much - I appreciate the swift response.

Kind regards,



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ENVIRONMENTAL

TIM VAN DER MERWE *LLB, LLM*

Attorney and Notary Public

CELL: +27 (0) 76 787 7637

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

From: Dale Holder <dale@cape-eaprac.co.za>

Sent: Wednesday, 13 August 2025 15:06

To: tim@gunnattorneys.co.za; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; stuart@gunnattorneys.co.za

Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Mr Van der Merwe.

Thank you for your email.

Your assumption is correct in that the application was made on 27th June 2025 and that the 44 day period in terms of 21(1) came to an end on 10 August 2025. However in line with Regulation 3(1) this moved to Monday 11 August 2025. We can confirm that the FSR has been submitted to the DFFE.

Kindly find attached comment and responses report that was submitted to the DFFE with the FSR. We also confirm that your comment received on 29 July 2025 was included in it's entirety in the FSR.

Please feel free to let me know if you have any further questions, and we look forward to further engagement in the next stage of the Environmental Process.

Kind Regards,

Dale Holder

SENIOR ENVIRONMENTAL PRACTITIONER

Cape EAPrac

NDip Nat.Con

EAPASA Reg. 2019/301

From: tim@gunnattorneys.co.za <tim@gunnattorneys.co.za>

Sent: Wednesday, 13 August 2025 14:54

To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; stuart@gunnattorneys.co.za

Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Afternoon Dale,

I hope you are well.

We just wanted to clarify something. We understand that the 30-day comment and review period ran from 30 June - 29 July 2025. Regulation 21(1) of the EIA Regulations states that *"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."*

We have assumed that the application was made on 27 June 2025 (the date of the DSR), in which case the 44 days expired on 10 August. Are you able to advise as to whether the FSR has been submitted to the DFFE yet?

Looking forward to hearing back from you.

Kind regards,



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TIM VAN DER MERWE LLB, LLM

Attorney and Notary Public

CELL: +27 (0) 76 787 7637

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

From: Dale Holder <dale@cape-eaprac.co.za>

Sent: Tuesday, 29 July 2025 14:03

To: stuart@gunnattorneys.co.za; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za

Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Stuart

The comments (and annexures) on behalf of your Clients as received per the below email are hereby acknowledged.

Kind Regards,

Dale Holder

SENIOR ENVIRONMENTAL PRACTITIONER

Cape EAPrac

NDip Nat.Con

EAPASA Reg. 2019/301

From: stuart@gunnattorneys.co.za <stuart@gunnattorneys.co.za>

Sent: Tuesday, 29 July 2025 12:38

To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za

Subject: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Importance: High

You don't often get email from stuart@gunnattorneys.co.za. [Learn why this is important](#)

Dear Dale and Francois

COMMENTS ON THE DRAFT SCOPING REPORT PREPARED IN SUPPORT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND THE ESTABLISHMENT OF THE PROPOSED BENYA SOLAR PHOTOVOLTAIC FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE LOCATED ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY, WATERBERG DISTRICT MUNICIPALITY, LIMPOPO PROVINCE - DFFE REFERENCE NO: 2025-02-0006

Please find attached the Comments together with Annexure **A**, **B** and **C**, submitted on behalf of our Clients, for the matter referred to above.

Kindly also acknowledge receipt of the above.

Kind regards,

STUART TREDGOLD

LLB



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CELL: +27 (0) 78 019 2160

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Kind regards,



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TIM VAN DER MERWE LLB, LLM
Attorney and Notary Public

CELL: +27 (0) 76 787 7637
ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa
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Please feel free to let me know if you have any further questions, and we look forward to further engagement in the next stage of the Environmental Process.

Kind Regards,

Dale Holder
SENIOR ENVIRONMENTAL PRACTITIONER
Cape EAPrac
NDip Nat.Con

From: tim@gunnattorneys.co.za <tim@gunnattorneys.co.za>
Sent: Wednesday, 13 August 2025 14:54
To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>
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We have assumed that the application was made on 27 June 2025 (the date of the DSR), in which case the 44 days expired on 10 August. Are you able to advise as to whether the FSR has been submitted to the DFFE yet?

Looking forward to hearing back from you.

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TIM VAN DER MERWE LLB, LLM
Attorney and Notary Public

CELL: +27 (0) 76 787 7637
ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa
WEB: www.gunnattorneys.co.za

From: Dale Holder <dale@cape-eaprac.co.za>
Sent: Tuesday, 29 July 2025 14:03
To: stuart@gunnattorneys.co.za; Francois Byleveld <francois@cape-eaprac.co.za>
Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za
Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Stuart

The comments (and annexures) on behalf of your Clients as received per the below email are hereby acknowledged.

Kind Regards,

Dale Holder
SENIOR ENVIRONMENTAL PRACTITIONER
Cape EAPrac
NDip Nat.Con
EAPASA Reg. 2019/301

From: stuart@gunnattorneys.co.za <stuart@gunnattorneys.co.za>
Sent: Tuesday, 29 July 2025 12:38

To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>

Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za

Subject: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Importance: High

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Dear Dale and Francois

COMMENTS ON THE DRAFT SCOPING REPORT PREPARED IN SUPPORT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND THE ESTABLISHMENT OF THE PROPOSED BENYA SOLAR PHOTOVOLTAIC FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE LOCATED ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY, WATERBERG DISTRICT MUNICIPALITY, LIMPOPO PROVINCE - DFFE REFERENCE NO: 2025-02-0006

Please find attached the Comments together with Annexure **A**, **B** and **C**, submitted on behalf of our Clients, for the matter referred to above.

Kindly also acknowledge receipt of the above.

Kind regards,



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STUART TREDGOLD

LLB

CELL: +27 (0) 78 019 2160

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

Francois Byleveld

From: Dale Holder
Sent: Monday, 28 July 2025 14:09
To: BOITSHOKO SETLHABI; Francois Byleveld
Subject: RE: PROPOSED BENYA SOLAR PV FACILITY

Dear Boitshoko

Thank you for your email.

I confirm that we have registered you as an interested and affected party for the Benya Solar PV project.

The Draft Scoping Report along with all relevant specialist reports are available on our website at www.cape-eaprac.co.za.

Kind Regards,

Dale Holder
SENIOR ENVIRONMENTAL PRACTITIONER
Cape EAPrac
NDip Nat.Con
EAPASA Reg. 2019/301

From: BOITSHOKO SETLHABI <boitshokosetlhabi@yahoo.com>
Sent: Wednesday, 23 July 2025 11:59
To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>
Subject: PROPOSED BENYA SOLAR PV FACILITY

You don't often get email from boitshokosetlhabi@yahoo.com. [Learn why this is important](#)

Hi

Hope all is well

I would like to register as an interested and affected party on the proposed Benya Solar PV project.

Please send me all the documentation you can.

You can also reach me on 0783387744

Hope to hear from you soon

Regards
Bs

[Yahoo Mail: Search, Organize, Conquer](#)

Francois Byleveld

From: Francois Byleveld
Sent: Friday, 27 June 2025 13:21
To: bdwebb@duck.com
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Good afternoon Brian,

I trust you are doing well.

Please see the Dropbox Link below as requested:

https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw285bjm4f3qjh5pt4&st=c4j3gohd&dl=0

You can also access the documents through the Cape EAPrac Website www.cape-eaprac.co.za ([Benya Solar PV](#)).

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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From: bdwebb@duck.com <bdwebb@duck.com>

Sent: Friday, 27 June 2025 13:18

To: Francois Byleveld <francois@cape-eaprac.co.za>

Subject: Re: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Unfortunately the dropbox attachment will not open. It just comes up as dropbox error. Can you please resend the attachment

Regards

Brian Webb

On Fri, 27 Jun 2025 at 11:30, Francois Byleveld <francois_at_cape-eaprac.co.za bdwebb@duck.com> wrote:

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k53qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

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PO Box 2070, George 6530



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--

Brian Webb

0832808515

bdwebb0@gmail.com



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia, · PRETORIA

DFFE Reference: 14/12/16/3/3/2/2719

Enquiries: Ms Matthodi Mogorosi

Telephone: 012 399 9388 **E-mail:** MMogorosi@dffe.gov.za

Mr Dale Holder
Cape Environmental Assessment Practitioners
PO Box 2070
GEORGE
6530

Telephone Number: (044) 874 0365
Email Address: dale@cape-eaprac.co.za

PER MAIL / E-MAIL

Dear Mr Holder

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated June 2025 and received by the Department on 27 June 2025, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

(a) **Listed Activities**

- a) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed. The onus is on the EAP and applicant to ensure that no other activities are triggered, and the correct activities are applied for.
- b) It is imperative that the relevant authorities are continuously involved throughout the 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.



Batho pele – putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

- c) If the activities applied for in the application form differ from those mentioned in the final Scoping Report, an amended application form must be submitted. Please note that the Department's application form template can be downloaded from the departmental website.

(b) Participation Process

- a) Please ensure that all issues raised, and comments received during the circulation of the Scoping Report (SR) from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the Final SR.
- b) 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.
- c) The Public Participation Process (PPP) must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
- d) A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all comments received (pre- (if any) and post-submission of draft SR) 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&AP's comments.
- e) The final SR must provide evidence that all identified and relevant commenting authorities have been given an opportunity to comment on the proposed development.

(c) Specialist Assessment

- a) 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 published in Government Notice No. 320 of 20 March 2020 (i.e., "the Protocols"), and in Government Notice No. 1150 of 30 October 2020, have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.
- b) The site sensitivity verification for each of the recommended studies as per the screening tool must be attached. If there are themes that were combined into one site sensitivity verification report such as combining the Animal and Plant Species Themes into the Terrestrial Biodiversity Theme, this must be indicated.

(d) Layout & Sensitivity Maps

- a) Please provide a layout map which indicates the following:
- Positions of the proposed facility, the associated grid connection infrastructure, the BESS, as well as all other associated infrastructure;
 - Permanent and temporary laydown area footprints;
 - All supporting on-site infrastructure e.g., roads (existing and proposed); and
 - All existing infrastructure on the site.
- b) The above map must be overlain with an environmental sensitivity map which indicates the following:
- The location of sensitive environmental features on site, e.g. CBAs, protected areas, conservation areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - Buffer areas; and
 - All "no-go" areas.
- c) A cumulative map showing the proposed development in relation to similar neighbouring renewable energy developments and existing infrastructure must be provided.
- d) Please note that Google maps will not be accepted.

(e) Cumulative Assessments

- a) Should there be any other similar developments proposed 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.

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”.

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.

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).

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.

Yours sincerely



Dr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries & the Environment

Letter signed by: Ms Sindiswa Dlomo

Designation: Deputy Director: National Integrated Authorisation Projects

Date: 28/07/2025

cc.	Mr Michael Mangnall	WKN Windcurrent SA (Pty) Ltd	Email: mangnall@wkn-windcurrent.com
	Mr Matodzi Rathumbu	Limpopo Department of Economic Development, Environment & Tourism	Email: RathumbuM@ledet.gov.za
	Mrs M.S. Mabitsela	Thabazimbi Local Municipality	Email: mabitselams@thabazimbi.gov.za



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: 2025-02-0012

Enquiries: Ms M Rabothata/Ms K Khomari

Telephone: (012) 399 9174 **E-mail:** MRabothata@environment.gov.za

Mr. Dale Holder
Cape EAPrac Environmental Assessment Practitioners
PO Box 2070
GEORGE
6530

Telephone Number: (044) 874 0365
Email Address: dale@cape-eaprac.co.za

PER E-MAIL

Dear Mr. Holder

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

The Directorate: Biodiversity Conservation has reviewed and evaluated the report and does not have any objections to the draft Scoping Report and the Plan of Study. However, the EIA report must comply 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.

All the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@dfre.gov.za for the attention of **Mr. Seoka Lekota**.

Yours faithfully

Mr. Seoka Lekota
Control Biodiversity Officer Grade B: Biodiversity Conservation
Department of Forestry, Fisheries & the Environment
Date: 24/07/2025



Batho pele – putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

Francois Byleveld

From: BC Admin <bcadmin@dffe.gov.za>
Sent: Monday, 30 June 2025 12:32
To: Francois Byleveld
Cc: MMatlala Rabothata; Khuliso KKP. Khomari; Nompumelelo Lekalakala
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

You don't often get email from bcadmin@dffe.gov.za. [Learn why this is important](#)

DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 27th of June 2025 to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata and Ms Khuliso Khomari (Copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers.

Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for attention of Mr Seoka Lekota.


Nompumelelo Lekalakala

B&C: Biodiversity Mainstreaming & EIA

Department of Forestry, Fisheries and the Environment

Environment House

473 Steve Biko and Soutpansberg Streets

Pretoria

Cell: 012 339 9411 | Email: nlekalakala@dffe.gov.za



forestry, fisheries
and the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

From: Francois Byleveld <francois@cape-eaprac.co.za>
Sent: Monday, 30 June 2025 10:19
To: Dale Holder <dale@cape-eaprac.co.za>
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Please note that there was an error in the Dropbox Link shared in the email below on 27 June 2025. A new Dropbox Link is available in the table below to gain access to all documents.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=d29f1f64onfs

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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Please Note: When registering as an Interested and Affected Party (I&AP) for any of our environmental projects, or submitting comment on the same, you automatically consent to the lawful processing, publishing and distribution of your personal information, as provided by yourself via submissions, for the purpose specific intent of participating in an environmental process, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Kindly view our [Privacy Statement](#) for more information (www.cape-eaprac.co.za).

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From: Francois Byleveld

Sent: Friday, 27 June 2025 11:31

To: Dale Holder <dale@cape-eaprac.co.za>

Subject: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE

REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw23qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld

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Francois Byleveld

From: Francois Byleveld
Sent: Monday, 30 June 2025 13:41
To: John Geeringh
Cc: Khululwa Matshoba; Dale Holder
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province
Attachments: Benya Solar PV Alternatives.kmz

Good afternoon John,

I trust you are doing well.

Please see attached the KMZ file of the proposed development as requested.

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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From: John Geeringh <GeerinJH@ntcsa.co.za>

Sent: Friday, 27 June 2025 11:44

To: Francois Byleveld <francois@cape-eaprac.co.za>

Cc: Khululwa Matshoba <StuurmKV@ntcsa.co.za>

Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

You don't often get email from geerinjh@ntcsa.co.za. [Learn why this is important](#)

Please send me a KMZ file of the proposed development. Please find attached Eskom requirements as well as a setbacks guideline for RE Developments to be read in conjunction with GN R 4143.

Kind regards

John Geeringh (Pr Sci Nat) Reg. EAP (EAPASA)
Senior Consultant Environmental Management
Grid Planning: Land and Rights
National Transmission Company South Africa SOC Ltd (NTCSA)
Megawatt Park, B2Y25, Maxwell Drive, Sunninghill, Sandton.
P O Box 1091, Johannesburg, 2000.
Tel: +27 (0)11 516 7233
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E-mail: john.geeringh@ntcsa.co.za

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From: Francois Byleveld <francois@cape-eaprac.co.za>
Sent: Friday, 27 June 2025 11:31
To: Dale Holder <dale@cape-eaprac.co.za>
Subject: [CAUTION:EXTERNAL EMAIL] Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/sc/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw23qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
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TO WHOM IT MAY CONCERN

Eskom requirements for work in or near Eskom servitudes.

1. Eskom's rights and services must be acknowledged and respected at all times.
2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.
3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.
4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.
5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.
6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.
7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.
8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.
9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager

Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.

10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.
11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.
12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by *Regulation 15* of the *Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)*.
13. Equipment shall be regarded electrically live and therefore dangerous at all times.
14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.
15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.
16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.
17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.

John Geeringh (Pr Sci Nat)(EAPASA)
Senior Consultant Environmental Management
Eskom Transmission Division: Land & Rights
Megawatt Park, D1Y42, Maxwell Drive, Sunninghill, Sandton.
P O Box 1091, Johannesburg, 2000.
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E-mail: john.geeringh@eskom.co.za

	<p style="text-align: center;">SCOT</p>	<p style="text-align: center;">Technology</p>
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Title: **Renewable Energy Generation Plant Setbacks to Eskom Infrastructure** Unique Identifier: **240-65559775**

Alternative Reference Number: **N/A**

Area of Applicability: **Power Line Engineering**

Documentation Type: **Guideline**

Revision: **2**

Total Pages: **9**

Next Review Date: **N/A**

Disclosure Classification: **CONTROLLED DISCLOSURE**

Compiled by	Approved by	Authorised by
		
<p>J W Chetty Mechanical Engineer</p>	<p>B Ntshuntsha Chief Engineer (Lines)</p>	<p>R A Vajeth Snr Manager (Lines) and SCOT/SC/ Chairperson</p>
<p>Date: 15 / 09 / 2020</p>	<p>Date: 30/10/2020</p>	<p>Date: 30/10/2020</p>

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EXECUTIVE SUMMARY

In recent decades, the use of wind turbines, concentrated solar plants and photovoltaic plants have been on the increase as it serves as an abundant source of energy. This document specifies proposed setbacks for wind turbines and the reasons for these setbacks from infrastructure as well as setbacks for concentrated solar plants and photovoltaic plants. Setbacks for wind turbines employed in other countries were compared and a general setback to be used by Eskom was suggested for use with wind turbines and other renewable energy generation plants.

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1. INTRODUCTION

During the last few decades, a large amount of wind turbines have been installed in wind farms to accommodate for the large demand of energy and depleting fossil fuels. Wind is one of the most abundant sources of renewable energy. Wind turbines harness the energy of this renewable resource for integration in electricity networks. The extraction of wind energy is its primary function and thus the aerodynamics of the wind turbine is important. There are many different types of wind turbines which will all exhibit different wind flow characteristics. The most common wind turbine used commercially is the Horizontal Axis Wind Turbine. Wind flow characteristics of this turbine are important to analyse as it may have an effect on surrounding infrastructure.

Wind turbines also cause large turbulence downwind that may affect existing infrastructure. Debris or parts of the turbine blade, in the case of a failure, may be tossed behind the turbine and may lead to damage of infrastructure in the wake path.

This document outlines the minimum distances that need to be introduced between a wind turbine and Eskom infrastructure to ensure that debris and / or turbulence would not negatively impact on the infrastructure and future expansion of infrastructure (lines and substation) as per the long term planning scenario.

Safety distances of wind turbines from other structures as implemented by other countries were also considered and the reasons for their selection were noted. All renewable energy developments are approved by The Department of Environmental Affairs, Forestry and Fisheries (DEFF) in terms of NEMA. The DEFF is aware of the setbacks guideline, however they cannot use it in terms of decision making since the setbacks document has no legal standing in SA and it would be outside of their mandate who have been advised to follow the guidelines herein.

Concentrated solar plants and photovoltaic plants setbacks away from substations were also to be considered to prevent restricting possible power line access routes to the substation and possible expansion of substations.

2. SUPPORTING CLAUSES

2.1 SCOPE

This document provides guidance on the safe distance that a wind turbine should be located from any Eskom power line or substation. Although it is not based on any legislative requirement, it is deemed important that Eskom's infrastructure and future network expansion planning is not impeded. The document specifies proposed setback distances for transmission lines (220 kV to 765 kV), distribution lines

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(66 kV to 132 kV) and all Eskom substations. Proposed setbacks for concentrated solar plants and photovoltaic plants are also specified away from substations.

2.1.1 Purpose

Setbacks for wind turbines and power lines / substations are required for various reasons. These include possible catastrophic failure of the turbine blade that may release fragments and which may be thrown onto nearby power lines that may result in damage with associated unplanned outages. Turbulence behind the turbine may affect helicopter flight during routine Eskom live line maintenance and inspections that may lead to safety risk of the aircraft / personnel. Concentrated solar plants and photovoltaic plants setback away from substations were required to prevent substations from being boxed in by these renewable generation plants limiting line route access to the substations and possible future substation expansion.

2.1.2 Applicability

This document is applicable to the siting of all new and existing wind turbines, concentrated solar plants and photovoltaic plants near power lines and substations and in line of site between Eskom telecommunication infrastructure, including future Eskom renewable energy development.

2.2 NORMATIVE/INFORMATIVE REFERENCES

2.2.1 Normative

1. <http://www.envir.ee/orb.aw/class=file/action=preview/id=1170403/Hiiumaa+turbulence+impact+EMD.pdf>.
2. <http://www.energy.ca.gov/2005publications/CEC-500-2005-184/CEC-500-2005-184.PDF>
3. <http://www.adamscountywind.com/Revised%20Site/Windmills/Adams%20County%20Ordinance/Adams%20County%20Wind%20Ord.htm>
4. http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=PA11R&RE=1&EE=1
5. <http://www.wind-watch.org/documents/european-setbacks-minimum-distance-between-wind-turbines-and-habitations/>
6. <http://www.publications.parliament.uk/pa/ld201011/ldbills/017/11017.1-i.html>
7. http://www.caw.ca/assets/pdf/Turbine_Safety_Report.pdf
8. Rogers J, Slegers N, Costello M. (2011) A method for defining wind turbine setback standards. Wind energy 10.1002/we.468

2.2.2 Informative

None

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2.3 DEFINITIONS

Definition	Description
Setback	The minimum distance between a wind turbine and boundary line/dwelling/road/infrastructure/servitude etc.
Flicker	Effect caused when rotating wind turbine blades periodically cast shadows
Tip Height	The total height of the wind turbine ie. Hub height plus half rotor diameter (see Figure1)

2.3.1 Disclosure Classification

Controlled disclosure: controlled disclosure to external parties (either enforced by law, or discretionary).

2.4 ABBREVIATIONS

Abbreviation	Description
None	

2.5 ROLES AND RESPONSIBILITIES

All parties involved in the positioning wind turbines, concentrated solar plants and photovoltaic plants near power lines/substations should endeavour to follow the setbacks outlined in this guideline.

2.6 PROCESS FOR MONITORING

Agreement by Eskom in writing on any encroachment of the setbacks distance should be requested via the Grid Access Unit. Eskom should ensure that every application for renewable energy (RE) developments are informed about the existence of the setbacks document early in the RE planning process to ensure maximum effect. This includes Eskom RE development.

2.7 RELATED/SUPPORTING DOCUMENTS

None

3. DOCUMENT CONTENT

3.1 INTERNATIONAL SETBACK COMPARISON

Wind Turbine setbacks employed by various countries were considered. It was found that setbacks were determined for various reasons that include noise, flicker, turbine blade failure and wind effects as well as

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future network expansion planning. The distances (setbacks) varied based on these factors and were influenced by the type of infrastructure

Wind turbine setbacks varied for roads, power lines, dwellings, buildings and property and it was noted that the largest setbacks were employed for reasons of noise and flicker related issues [1-7]. Very few countries specified setbacks for power lines.

The literature survey [1-7], yielded information about studies and experiments were conducted to determine the distance that a broken fragment from a wind turbine might be thrown. Even though of low probability of hitting a power line [5.0×10^{-5} ^[8]], the distances recorded were significant [750m ^[8]]

Wind turbines may also cause changes in wind patterns with turbulent effects behind the hub. These factors influence the wind turbine setbacks specified in this document.

Setbacks were thus introduced to prevent any damage to Eskom infrastructure and impedance to operation and future network expansion planning.

Renewable energy plant can also limit access into substations for power lines of all voltages. A setback distance should therefore be employed to prevent substations from being boxed in by these generation plants and preventing future network expansion. These setback distances are specified in this document.

3.2 ESKOM RECOMMENDED SETBACKS

Any renewable energy applicant should engage with Eskom to determine if their plant layout or positioning of turbines, CSP or PV infrastructure would encroach on the proposed setbacks provided for in this guideline and to ensure that their planning and Eskom's future expansion planning is taken into account. Eskom must inform all renewable energy developers, including Eskom RE, of the existence of the setbacks guideline early in the development process. Should there be an encroachment, a formal request should be sent to and accepted by Eskom in writing if any of the below mentioned setback distances are infringed upon:

- Eskom requests a setback distance of 3 times the tip height of the wind turbine from the edge of the closest Eskom servitude (including vacant servitudes) for transmission lines (220kV to 765kV) and Substations.
- Eskom requests a setback distance of 1 times the tip height of the wind turbine from the edge of the closest Eskom servitude (including vacant servitudes) for distribution lines (66 kV to 132 kV) and Substations.

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- A written request should be sent to Eskom via the Grid Access Unit regarding any proposed wind turbine, concentrated solar plants and photovoltaic activity within a 5 km radius of a substation for Eskom to comment on.
- Where concentrated solar plants, photovoltaic structures, battery storage systems (BESS) and other renewable generation plants fall within a 2 km radius of the closest point of a transmission or distribution substation (66kV to 765kV), a written agreement with Eskom is recommended during the planning phase of such plant or structures to ensure Eskom's future planning is not impeded.
- Applicants should not position any wind turbine in the line of site between and two Eskom Radio Telecommunication masts. It should be proven that Eskom radio telecommunication systems (mainly microwave systems) will not be affected in any way by wind turbines due to the criticality of this infrastructure in terms of network operation. Eskom Telecommunications should be engaged on this matter.
- If the position or size of any turbine changes and subsequently infringes on any of the above stated setbacks, a request for relaxation must be sent through to Eskom as per the point mentioned above.

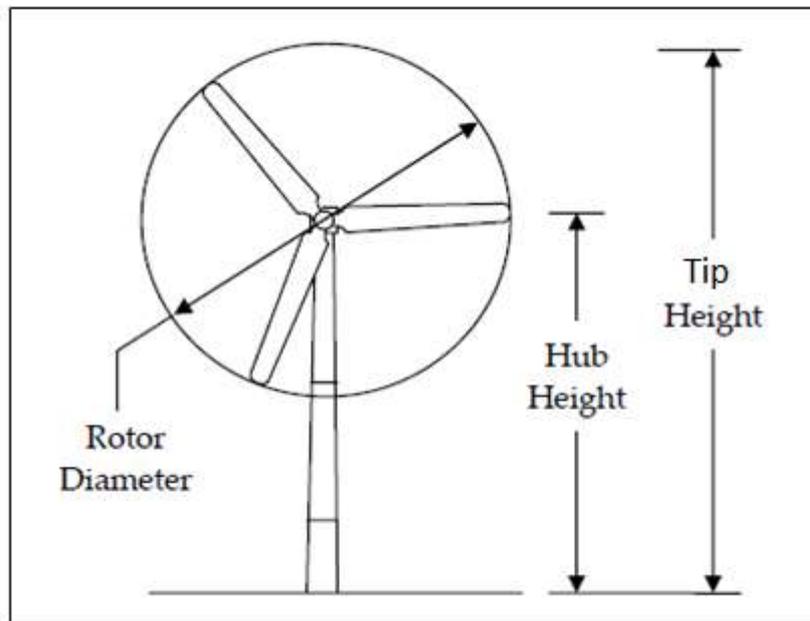


Figure 1: Horizontal Axis Wind Turbine [2]

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4. AUTHORISATION

This document has been seen and accepted by:

Name & Surname	Designation
V Naidoo	Chief Engineer
Dr P Pretorius	Electrical Specialist
J Geeringh	Snr Consultant Environ Mngt
B Haridass	Snr Consultant Engineer
B Ntshunsha	Chief Engineer
R Vajeth	Snr Manager (Lines)
D A Tunncliff	Snr Manager L&R (Acting)
B Branfield	Snr Consultant Engineer

5. REVISIONS

Date	Rev.	Compiler	Remarks
November 2013	0	J W Chetty	First Publication - No renewable energy generation plant setback specification in existence.
October 2018	1	JW Chetty	Modification to sub-section 3.2 to provide more clarity for application procedure.
June 2020	2	JW Chetty	Content within the guideline was re-worded to explain the benefits of mutual agreements between the applicants and ESKOM rather than the application being a legal obligation.

6. DEVELOPMENT TEAM

The following people were involved in the development of this document:

Jonathan Chetty (Mechanical Engineer)

Vivendhra Naidoo (Chief Engineer)

Dr Pieter Pretorius (Electrical Specialist)

John Geeringh (Snr Consultant Environ Mngt)

Bharat Haridass (Snr Consultant Engineer)

Riaz Vajeth (Snr Manager (Lines))

Bruce Ntshunsha (Chief Engineer)

David Tunncliff (Snr Manager L&R Acting)

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Cape Environmental Assessment Practitioners (Pty) Ltd

Attention: Mr Dale Holder / Mr Francois Byleveld

by e- mail to:

dale@cape-eaprac.co.za / francois@cape-eaprac.co.za

29 July 2025

Dear Sirs

FATALLY FLAWED APPLICATION FOR THE ESTABLISHMENT OF A VERY HIGH BIODIVERSITY IMPACT SOLAR PHOTOVOLTAIC FACILITY IN A SENSITIVE ENVIRONMENT WITH NO SITE ALTERNATIVE OPTIONS

SURROUNDING LANDOWNERS AND THE LANDOWNER OF THE PROPERTY WHERE THE GRID CONNECTION IS, ARE OPPOSED TO THE PROJECT DUE TO ITS NEGATIVE IMPACT

VERY HIGH BIODIVERSITY IMPACT - THOUSANDS OF TREES TO BE DESTROYED, HUNDREDS OF THOUSANDS OF INSECTS AND REPTILES TO BE SLAUGHTERED, WHITE BACKED VULTURE IMPACTED TO MAKE A PROFIT FOR THE DEVELOPER

COMMENTS ON THE DRAFT SCOPING REPORT PREPARED IN SUPPORT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND THE ESTABLISHMENT OF THE PROPOSED BENYA SOLAR PHOTOVOLTAIC FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE LOCATED ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY, WATERBERG DISTRICT MUNICIPALITY, LIMPOPO PROVINCE - DFFE REFERENCE NO: 2025-02-0006

1. Introduction

- 1.1 We refer to the above matter where we act for a consortium of landowners (“**our Clients**”) who own the directly adjacent properties, east, west and south of the proposed development. The consortium of landowners consists of several landowners, all of which are interested and affected parties (“**I & APs**”) in the matter referred to above.
- 1.2 The proposed Benya Solar Photovoltaic (“**PV**”) Facility (up to 500mw) and Integrated Electrical Grid Connection Infrastructure on the Remainder of Farm Portugal 198 KP

and Farm Napoleon 216 KP (“**the proposed development**”) is located in the Thabazimbi Local Municipality, Waterberg District Municipality, Limpopo Province.

- 1.3 WKN Windcurrent SA (Pty) Ltd (“**the Applicant**”) has appointed Cape Environmental Assessment Practitioners (Pty) Ltd (“**the EAP**”) to facilitate the Scoping and Environmental Impact Reporting (“**S&EIR**”) process for the proposed development, as required in terms of the National Environmental Management Act 107 of 1998 (“**NEMA**”) and the Environmental Impact Assessment Regulations, 2014 (as amended) (“**2014 EIA Regulations**”).
- 1.4 Our Clients are the respective surface rights owners of various land portions which are adjacent to and surround the proposed development to the east, west and south. All of these landowners object to the proposed development and do not consent to it, based on the high biodiversity impact, impact on the sense of place, visual impact and impact on property values
- 1.5 Our Clients, as referred to above, along with their respective properties, are listed below:
 - 1.5.1 Pro-Es Investments (Pty) Ltd - Remainder of Farm Bloemhof 201 KP, Farm Stellenbosch 222 KP, Farm Uitsig 230 KP, Remainder of Farm Bokplaats 200 KP and Portion 3 of Farm Welgevonden 223 KP;
 - 1.5.2 Ria Potgieter t/a Motsomi Safaris – Farm Kameelhoek 174 KP;
 - 1.5.3 Drikus Verster – Farm Napoleon 216 KP;
 - 1.5.4 Riaan Cilliers – Farm Westindie 221 KP;
 - 1.5.5 Purple Rain Properties (Pty) Ltd – Portion 1 of Farm Port Elizabeth 199 KP, Farm Kromdraai 114 KP, Portion 2 and Remainder of Farm Kameelboom 91 KP, and Portion 2 and Remainder of Farm Middelpoort 93 KP; and
 - 1.5.6 Andrew Webb – Portion 1 of Farm Bloemhof 201 KP.
- 1.6 A map of our Client’s properties in relation to the proposed development is attached as Annexure “**A**”. The key for the map is:
 - **Light blue** - Farm Portugal 198 KP (location of the proposed PV panels for the proposed Project).
 - **Green** - Farm Napoleon 216 KP (Drikus Verster) – location of the proposed grid connection point (Against the Project).

- **Pink** - Remainder of Farm Bloemhof 201 KP, Farm Stellenbosch 222 KP, Farm Uitsig 230KP, Remainder of Farm Bokplaats 200 KP and Portion 3 of Farm Welgevonden 223 KP. Pro-Es Investments (Pty) Ltd (Against the Project).
- **Dark blue** -Farm Kameelhoek 174 KP Ria Potgieter t/a Motsomi Safaris (Against the Project).
- **Red** – Farm Westindie 221 KP Riaan Cilliers (Against the Project).
- **Purple** – Portion 1 of Farm Port Elizabeth 199 KP, Farm Kromdraai 114 KP, Portion 2 and Remainder of Farm Kameelboom 91 KP, and Portion 2 and Remainder of Farm Middelpoort 93 KP. Purple Rain Properties (Pty) Ltd (Against the Project).
- **Orange** – Portion 1 of Farm Bloemhof 201 KP Andrew Webb (Against the Project).

1.7 As is apparent from the above, included in our Clients, is the surface rights owner of Farm Napoleon 216 KP. Farm Napoleon 216 KP is critical for the proposed development as it contains the existing 132Kv line and grid connection point. Without the support of the owner of Napoleon 216 KP, the proposed development is fatally flawed.

1.8 According to NEMA and the 2014 EIA Regulations, in order for an applicant to be granted an environmental authorisation (“EA”), the Draft Scoping Report (“DSR”) must conform to certain standards and contain particular information. There is a specified Public Participation Process that must be followed, especially regarding landowner consultation. According to the DSR, it is confirmed that the proposed development is within a critical biodiversity area (“CBA”) and ecological support area (“ESA”) and is situated adjacent to a protected area (the Madikwe Game Reserve). The proposed development will have an extremely high negative environmental impact. Over one thousand five hundred hectares of pristine bushveld will be wiped out destroying thousands of trees, hundreds of thousands of insects and reptiles and displacing or destroying other fauna, all in the name of making a profit for the developer. The argument used in the DSR to justify this slaughter is that solar is a low carbon green energy source. With respect this cannot succeed. Solar is a valuable contributor to the energy mix required for the grid, but the site selected by the Applicant is appalling. The mass slaughter of wildlife is therefore not necessary if the correct site is selected.

1.9 Our Clients challenge the Applicant, the EAP and the Specialists to be honest in the EIA phase. The EAP and the Specialists have a legal obligation to do so. Currently the practice is to manipulate the parameters and method of study to greenwash the proposed development and to inevitably arrive at a positive recommendation in favour of the proposed development. The EAP and the Specialists should provide concrete numbers and information in the EIA phase, such as:

- 1.9.1 How many trees will be wiped out?
- 1.9.2 How many spiders, insects and reptiles will be slaughtered?
- 1.9.3 How many bird's nests will be destroyed?
- 1.9.4 If these true, massive and negative biodiversity impacts are presented it then becomes clear that the impacts of the proposed development are diabolical.
- 1.9.5 It must also be noted at the outset that the DSR does not demonstrate compliance with the core environmental management principles contained in section 2 of NEMA. In particular, it fails to substantively address the precautionary principle, which is mandatory when irreversible environmental harm is possible in sensitive areas. The proposed development is therefore not compatible with existing land uses, nor is it desirable, as will be shown in the paragraphs that follow.

2. The Application for EA in a sensitive environment is fatally flawed for the reasons below:

2.1 *The proposed development is due to occur in a CBA and ESA:*

- 2.1.1 The DSR describes the property intended to be used for the proposed development as *"sparsely developed and considered rural in character. Various farmsteads/homesteads and agricultural field are located throughout the proposed development properties with associated fences and access roads."* This is misleading as the site of the proposed development is situated within a CBA and ESA. This is confirmed on page 91 of the DSR where it is acknowledged that the entire development area is located within a CBA 2 and ESA 2. On page 92 of the DSR, it is stated that *"the specialist confirmed the "Very High" sensitivity with CBA 2 and ESA 2 being present."*
- 2.1.2 The extent of the proposed development area is classified as a CBA 2 and ESA 2 in terms of the Limpopo Conservation Plan v2, 2013 ("**LCPv2**"). The LCPv2 is the current systematic biodiversity plan for the Limpopo Province and has been undertaken by the Limpopo Department of Economic Development, Environment and Tourism. The purpose of the LCPv2 is to develop the spatial component of a bioregional plan (i.e. a map of CBAs and associated land-use guidelines), while bioregional plans themselves are used to facilitate biodiversity conservation in priority areas outside the protected area network.
- 2.1.3 Areas designated as CBA 2 must be maintained in a natural or near-natural state that maximises the retention of biodiversity patterns and ecological processes. This includes:
 - Ecosystems and species that are fully or largely intact and undisturbed;

- Areas with intermediate irreplaceability or some flexibility in terms of meeting biodiversity targets. There are options for loss of some components of biodiversity in these landscapes without compromising the ability to achieve biodiversity targets, although loss of these sites would require alternative sites to be added to the portfolio of CBAs; and
- Biodiversity features within a CBA2 that are impacted but are not fully degraded.

2.1.4 Areas designated as ESA 2 are areas that are currently in severely modified ecological condition (e.g. cultivated areas in riparian zones) but that nevertheless retain sufficient ecological functioning to fulfil the purpose for which the ESA was selected. The objective is to prevent further deterioration in ecological condition and includes:

- Areas with no natural habitat and which are important for supporting ecological processes (i.e. maintaining landscape connectivity);
- Areas where additional impacts on ecological processes should be avoided. In transformed areas, which are important for maintaining ecological processes, current land uses should be maintained, intensification of use (e.g. a transition from agriculture to urban) should be avoided, and where possible areas should be rehabilitated;
- The maintenance of connectivity between CBAs, continued ecosystem functioning within the CBA corridors, and the prevention of degradation of adjacent CBAs must be achieved; and
- In some cases, the rehabilitation of ESA 2s may be suitable for land care initiatives to direct their conservation projects, programmes and activities.

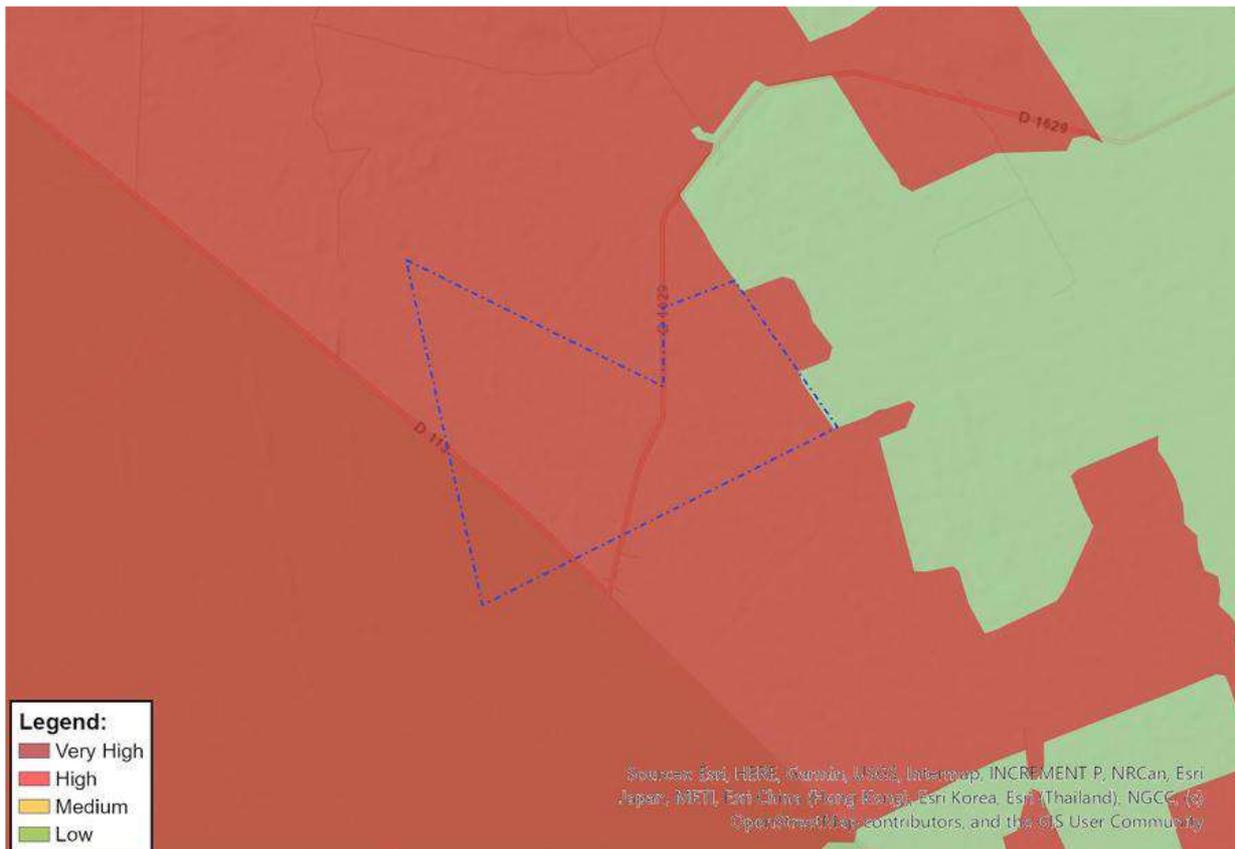
2.1.5 Furthermore, the LCPv2: Technical Report, September 2013 (“**Technical Report**”), sets out the land management objectives applicable to each type of CBA and ESA map category. Specifically, on page 52 of the Technical Report, CBA 2 areas are to be maintained “*in a natural state with limited or no biodiversity loss. Maintain current agricultural activities. Ensure that land use is not intensified and that activities are managed to minimize impact on threatened species*”. It also provides that CBA 2 areas must “*avoid conversion of agricultural land to more intensive land uses, which may have a negative impact on threatened species or ecological processes*”. On page 54 of the Technical Report, additional / new impacts on ecological processes must be avoided on ESA 2 areas. Additionally, efforts must be made to maintain current land use and avoid intensification of land use which may result in additional impacts on ecological processes.

- 2.1.6 The Technical Report further provides for compatible and incompatible land-uses for CBA 2 and ESA 2. In the case of compatible land-uses for CBA 2, *“current agricultural practices including arable agriculture, intensive and extensive animal production, as well as game and ecotourism operations”* are permitted. However, in the case of incompatible land-uses, *“urban land-uses including Residential (including golf estates, rural residential, resorts), Business, Mining & Industrial; Infrastructure (roads, power lines, pipelines)”* do not fall within the land-uses intended on areas designated as CBA 2. In terms of ESA 2, existing activities (e.g. arable agriculture or game farming) should be maintained, but where possible a transition to less intensive land uses or ecological restoration should be favoured. Additionally, *“any land use or activity that results in additional impacts on ecological functioning mostly associated with the intensification of land use in these areas (e.g. Change of floodplain from arable agriculture to an urban land use or from recreational fields and parks to urban)”* is incompatible with ESA 2.
- 2.1.7 Therefore, it would contravene the recommendations of the LCPv2 to allow for the proposed development to occur on the site concerned as any such activities in the area would cause devastating and irreversible impacts and damage to the natural environment, which, in its current state, is not deemed irreversibly modified or heavily degraded. Furthermore, any land use or activity that results in additional impacts on ecological functioning mostly associated with the intensification of land use in these areas, is incompatible. The proposed development is naturally more intensive than the current land uses and any development of this nature will result in additional impacts on the ecological functioning of the site.
- 2.1.8 In this regard, the EAP has, from the available information, not truly considered the surface rights land use in the DSR, nor has the EAP truly considered the impact of the proposed development on the site. This is perhaps because the EAP has at this stage not yet adequately engaged with the surface rights owners of the Farm Napoleon 216 KP and adjacent landowners (including our Clients), either to understand the true land use or to properly study the impacts of proposed prospecting activities on adjacent and other landowners situated in close proximity to the proposed development.
- 2.1.9 Our Clients undertake a variety of agricultural-based activities on their respective properties. Specifically, these activities comprise farming and game breeding, as well as the operation of trophy hunting and game lodges. These activities are not only carried out as businesses and a source of income for our Clients, but are also responsible for the much-needed employment of numerous members of the local communities in the area.

2.2 *Biodiversity Impacts have not been properly considered as required by the 2014 EIA Regulations:*

2.2.1 The following represents the results of the screening for environmental sensitivity of the proposed site for various relevant environmental themes associated with the project classification. It is the duty of the EAP to ensure that the environmental themes provided by the National Web based Environmental Screening Tool (“**the Screening Tool**”) are comprehensive and complete for the proposed development. The majority of the environmental sensitivity themes for the proposed development are regarded as “Very High” according to the Screening Tool.

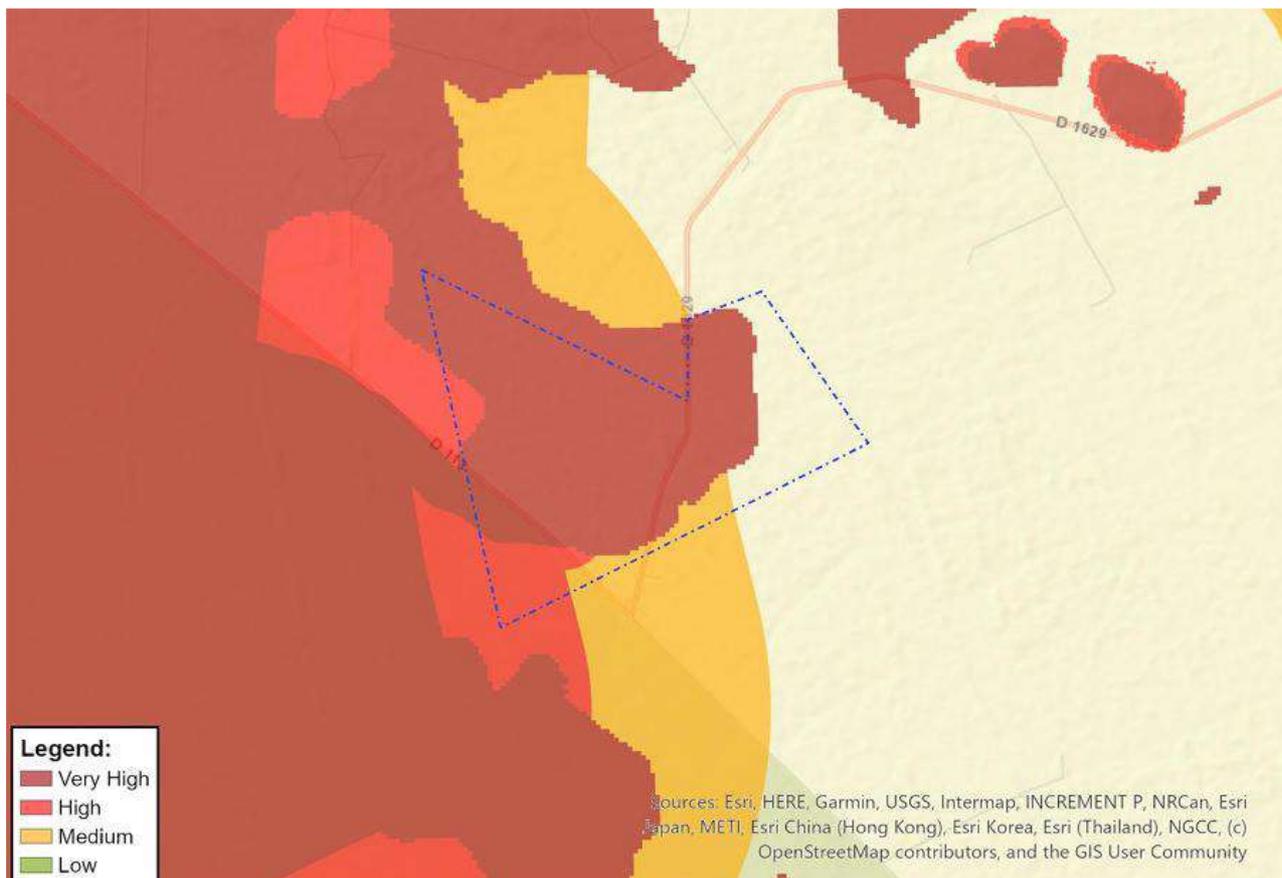
2.2.2 The Screening Tool identifies the Terrestrial Biodiversity sensitivity theme for the proposed development site as “Very High” sensitivity, as indicated in the image below, found on page 21 of the DSR:



2.2.2.1 The designation of “Very High” Terrestrial Biodiversity sensitivity theme is due to the entire development area being within a CBA 2 and ESA 2. This is noted and confirmed by the relevant specialist on page 92 of the DSR. Furthermore, as can be seen from the image above, the “Very High” designated portions of land stretch into the

adjacent Madikwe Game Reserve, which further signifies the critical and sensitive environment of the site, both in terms of its own ecological value as well as to the greater surrounding area.

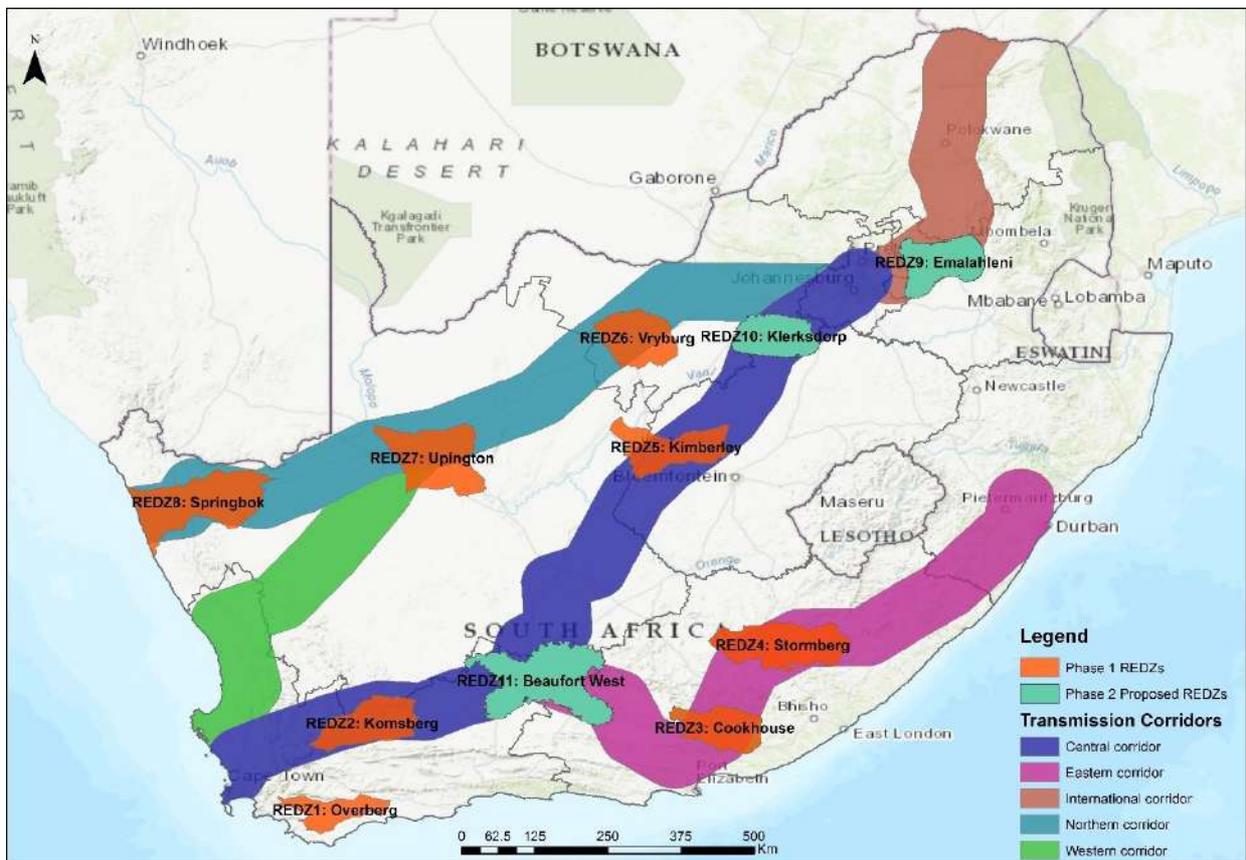
2.2.3 The Screening Tool also identifies the Visual and Landscape sensitivity theme for the proposed development site as “Very High” sensitivity, as indicated in the image below, found on page 88 of the DSR. According to the DSR, several sensitivity features were identified in the Screening Tool associated with the Landscape Theme. The DSR states that the “*Screening Tool identifies the Visual and landscape sensitivity theme as “Very High”, in parts, but with portions of the study area consisting of “High” and “Medium” sensitivity areas. The “Very High” sensitivity is related to mountain tops and high ridges as well as within 250m of a river*”.



2.2.3.1 The visual specialist confirmed the High sensitivity in the Screening Tool due to the steep slopes and mountain tops. The Applicant states that these areas will be avoided by the proposed development footprint and that the Medium sensitivity for areas between 3 and 5 km of a nature reserve was also confirmed.

2.3 *The proposed development is not within the designated Solar Industrial Development Zone or Renewable Development Zones in Limpopo Province*

2.3.1 The DSR, on page 55, refers to the Strategic Environmental Assessment (“SEA”) for wind and solar PV energy in South Africa which has identified, to date, a total of 11 Renewable Energy Development Zones (“REDZs”) across several provinces. The REDZs are areas where wind and solar PV activities can be incentivised and where deep grid expansion can be directed, with regulatory processes fast-tracked such that the REDZs align with South Africa’s energy strategy and climate goals by channelling most renewable investment into the best-suited areas, identified by SEAs. This, in turn, reduces regulatory burdens by fixing key approvals in advance (via SEAs and government gazettes). The Applicant notes on the same page of the DSR that the proposed development is not situated within a REDZ. For reference, the following map indicates the various REDZ in South Africa:



2.3.2 As can be seen from the map above, no applicable REDZ exists in Limpopo aside from the international transmission corridor which runs through the central part of Limpopo Province. The applicant should instead have applied for authorisation for the proposed development in the Solar IDZ. The Solar IDZ is located north of Lephalale and is indicated on the Map, below:

importance of sustainable development and the potential impact of the wrong development in sensitive areas is highlighted by the fact that the proposed development could have a high impact on key biodiversity fauna and flora, including rare and protected species.

- 2.3.6 The DSR does not adequately describe the context of the area, including the regional land use and significance of this part of the Waterberg bushveld to conservation and biodiversity preservation in South Africa. We refer to the report prepared by Landscape Alliance and Waterberg Conservation, the 2023 Waterberg Conservation Report (“**the 2023 Waterberg Conservation Report**”) (attached as Annexure “**B**”) which provides a more accurate report on the status quo of such land and its value as a conserved area. The Foreword states as follows:

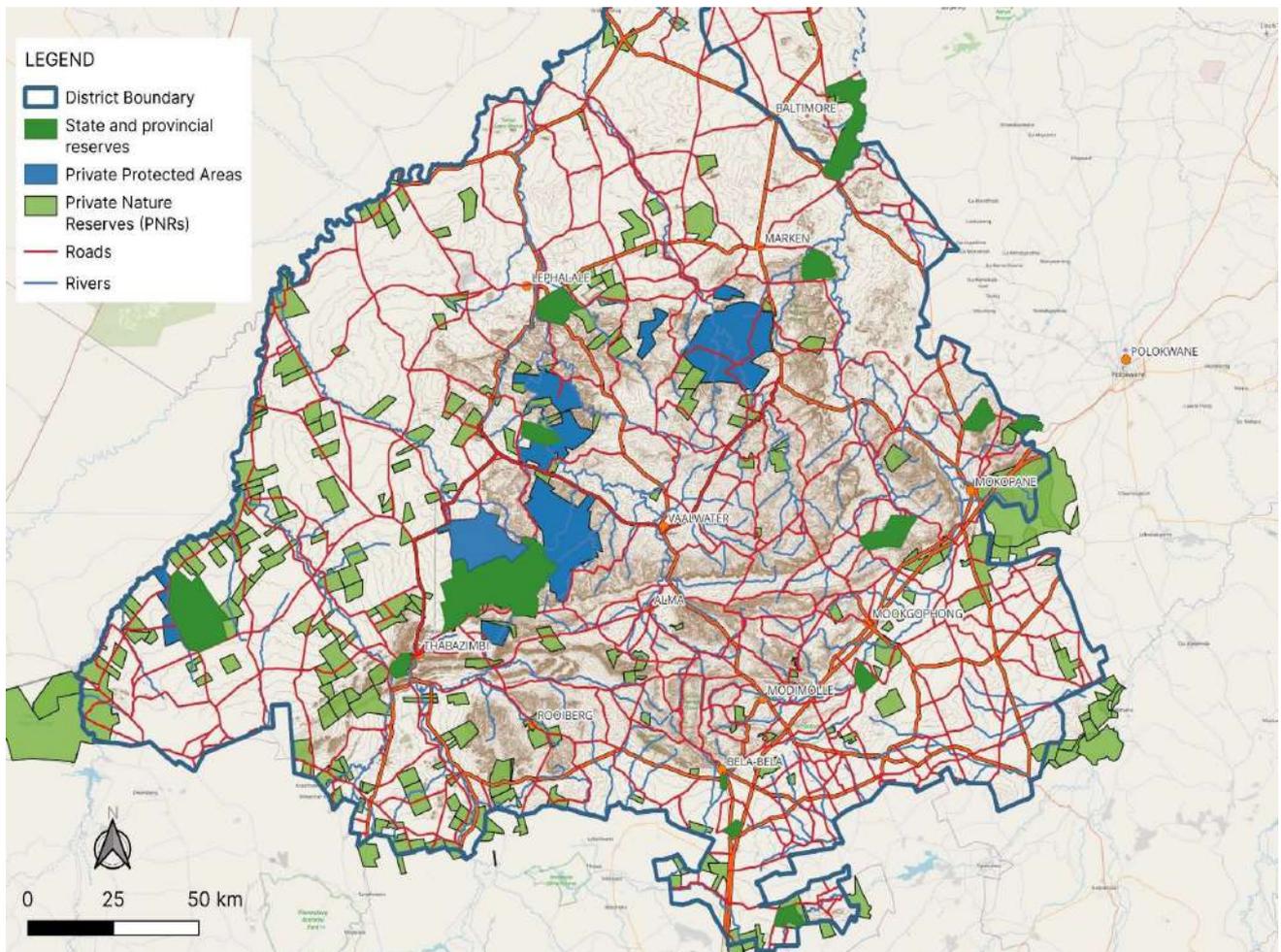
“Over the past 40 or so years, the Waterberg has been recognised as one of South Africa’s most biodiverse landscapes, which continues to absorb, recover from and survive the ecological brunt of commercial developments that occurred within its precinct over the past century. The Waterberg’s rich biodiversity and ecosystems, including its many endemic plant species, threatened mammals, birds, reptiles, insects and fish species was recognised by the UNESCO in its proclamation of the Waterberg Biosphere Reserve in 2001

The Waterberg’s immense ecological capacity, its proximity to South Africa’s main commercial, financial and industrial hubs together with its malaria-free status, have proven prime catalysts in its ongoing survival. The Waterberg is now home to many game-ranches, game reserves, nature reserves, local communities and businesses into which their respective owners / custodians/ residents have invested their blood, sweat and tears.”

Then, in the foreword at page 2, it goes on to state:

“The Waterberg has a wealth of biodiversity that has largely been restored during the past 30 to 40 years of rewilding, undertaken by many landowners in the region. The Waterberg is also heavily dependent on its biodiversity due to the local economy being based towards the wildlife industry, with wildlife-based tourism, hunting and game-breeding dominating the business sector.”

The map on page 17 of the 2023 Waterberg Conservation Report Report provides a graphic representation of the area and the conserved areas therein:



2.3.7 It is important to reiterate that the proposed development is positioned within the designated portion of the Madikwe Game Reserve. Had the applicant applied in the correct zone (i.e. north of Lephalale), the impacts of the proposed development may be potentially acceptable.

3. Further concerns with the DSR and the negative impact of the proposed development

3.1 *Impacts of the proposed development on adjacent landowners:*

3.1.1 The DSR, on page 28, states that “the landowners do not view the development as a conflict with their current land use practices”. On the same page, the DSR also notes that “landowners have provided written consent for the proposed Benya Solar PV Facility (please refer to Appendix G2)”.

3.1.2 In the first instance, it is claimed that landowners have provided written consent for the proposed development. While it is noted that consent for certain properties of the proposed development has been obtained (Remainder of Farm Portugal 198 KP), consent for the remaining property is

still required from the landowner of the Farm Napoleon 216 KP. Our Client's properties are either directly adjacent to the proposed development or in close proximity to the site. One of our Clients is the surface rights owner of Farm Napoleon 216 KP.

- 3.1.2.1 In terms of the proposed development, and according to the DSR, Farm Napoleon 216 KP contains critical grid connection infrastructure required for the proposed development. It is specifically noted in the DSR, on page i and page 1, that *"both the PV and BESS facilities will input into the national Eskom electricity grid via the existing nearby Spitskop-Gaborone South 2 132kV Eskom overhead power lines located on Farm Napoleon 216"*. On page 23 of the DSR, it is specifically shown that the existing Eskom Grid Infrastructure required for purposes of connecting to the Solar PV Facility (located on Farm Portugal 198 KP), is located on Farm Napoleon 216 KP.
- 3.1.2.2 The DSR, on page 9, notes several power line corridor alternatives. These various alternatives for connecting the proposed development's substation and other Solar PV Facility infrastructure to the 132kV Eskom overhead power lines, propose different corridor routes which all require grid connection points on the Farm Napoleon 216 KP and one of which (Option 2) traverses Napoleon 216 KP.
- 3.1.2.3 It is a specific requirement, in terms of regulation 39(1) of the 2014 EIA Regulations, that where an activity is to be undertaken on land owned by a person other than the proponent (the Applicant), such a person must obtain the written consent of the landowner or person in control of the land in order to undertake such an activity on that land.
- 3.1.2.4 Based on the above, the written consent and cooperation of the surface rights landowner of Farm Napoleon 216 KP is a critical requirement for purposes of the proposed development. However, the surface rights owner of Farm Napoleon 216 KP, Mr Drikus Verster (i.e. one of our Clients), does not consent to the proposed development.
- 3.1.2.5 Failure to obtain such consent, prior to the submission of an application for EA, would not only contravene the procedural requirements of the NEMA, but would also amount to a violation of the landowner's lawful rights and interests. It is trite that the use of land for purposes of a listed activity, without the informed and voluntary agreement of the lawful surface rights holder, renders the application fundamentally flawed and susceptible to legal challenge.

Consequently, any attempt by the Applicant to proceed in the absence of this prerequisite would be premature, unlawful, and subject to legal challenge.

- 3.1.3 In the second instance, the claim that the landowners do not view the development as a conflict with their current land use practices, is premature to say at the current stage of the application for the proposed development. Our Clients, are concerned that the proposed development and the carrying out of the activities associated with the proposed development could materially negatively impact *inter alia* their respective properties, the value of these properties, their privacy and the use and enjoyment thereof.
- 3.1.4 The 2014 EIA Regulations, under section 41(2)(b)(ii), specifically require that adjacent landowners are informed in writing of the proposed development. There is no proof of this consultation or that the landowners have consented.
- 3.1.5 On page 76 of the DSR, it is stated that a Visual Site Sensitivity Verification of the proposed development has been undertaken and that a Level 3 Landscape and Visual Impact Assessment will be undertaken and included in the Environmental Impact Reporting phase of this EA process. The Visual Site Sensitivity Verification states that *“The area encompasses a distinct sense of place that is shaped by its unique blend of agriculture and breathtaking Bushveld surroundings. The allure of the bushveld captivates visitors (mostly hunters) and locals alike. The picturesque scenery, characterised by sprawling plains, dense vegetation, and an abundance of wildlife, draws frequent hunters seeking thrilling adventures in the bushveld wilderness”* and that *“the study area is characterised by some landscape features that possess a visual or scenic value”*.
- 3.1.6 The DSR, on pages 78 and 79, also refers to various Landscape Features which, as noted above, possess visual and scenic value. These include water features in the form of rivers and tributaries with one of the most prominent rivers in the Waterberg District being that of the Marico River. Vegetation Features are also noted, with the DSR referencing *“open plains used for crop cultivation and mostly lush, beautiful Bushveld vegetation”*. It is worth noting that aside from certain aspects of crop cultivation, game-breeding and trophy hunting is also a common tourism attraction and form of business for many landowners in close proximity to the proposed development site, including our Clients. Game / trophy hunting is specifically noted in the context of the Cultural Landscapes feature on page on the same page of the DSR, and is a significant attraction for international tourists to the area.
- 3.1.7 Page 78 of the DSR also refers to Potential Sensitive Receptors and notes the presence of certain nature reserves and national parks in the area. However, the DSR contains no adequate reference to the Madikwe Game Reserve, a

portion of which in fact lies on the Remainder of Farm Portugal 198 KP. The DSR, again, fails to mention the presence of the Madikwe Game Reserve when it refers to Tourism Facilities / Sites on page 79, and incorrectly states that “*no significant tourist facilities are situated within the 10km POAI [Project Area of Influence]*”.

- 3.1.8 As mentioned above, the Screening Tool indicated “Very High” Landscape Sensitivity due to features such as proximity to rivers, wetlands, nature reserves, steep slopes, mountains and ridges. These impacts will directly negatively affect the ability of various adjacent property owners and landowners to use and enjoy their property, both during the development and construction phase of the proposed development and after.
- 3.1.9 The “Very High” impacts on the social environment and visual and aesthetic quality of the adjacent and nearby properties will be experienced consistently and at all times of the day. The use of significant illumination produced at night by the security lights on the perimeter of the proposed development site could also negatively impact the surrounding environment and ‘natural’ feel of the bushveld.
- 3.1.10 The DSR, on page 21, refers to the supply of water during the construction and operation phases of the proposed development. It is listed, in order of priority, where the required water will be sourced from. The options available are, firstly, supply from the Thabazimbi Local Municipality (via trucks or collection directly from the Thabazimbi Local Municipality Water Treatment Plant). Secondly, water supply from a third-party water supplier and, thirdly, drilling a borehole on the site of the proposed development.
- 3.1.11 The option of drilling a borehole for the abstraction of water to be used for purposes of the proposed development is in no way a viable option. Depending on the required amount of water for the proposed development (which does not appear to be disclosed in the DSR), this could result in a significant reduction in the amount of available borehole water for landowners who depend on its consistent availability for both personal and agricultural consumption / business operations. No borehole census or study on the impact of groundwater has been done in the DSR.
- 3.1.12 The proposed development will inevitably result in the degradation and loss of a significant amount of indigenous and non-indigenous vegetation as the proposed development spans over 1500 hectares in total, including both the PV Site and the Electrical Grid Connection Site. While it is noted, on page 58 of the DSR, that re-vegetation of the degraded sites with appropriate indigenous species will be carried out, no further information is provided.

3.1.13 It is also important to note that while re-vegetation might aid in an apparent reduction of the negative visual impact brought about by the proposed development, no amount of re-vegetation / landscaping will be able to replicate the naturally occurring vegetation that currently occupies the proposed development site. A PV solar plant, especially one with such a significant size and situated within pristine natural bushveld, will be visually unavoidable and will significantly detract from the natural environment that is enjoyed by the adjacent landowners, tourists and visitors alike in the area. This will permanently and significantly affect the sense of place of nearby properties and will therefore negatively impact property values in the area.

3.2 *Individual Specialist Reports are already not being done in accordance with the law*

3.2.1 It has unfortunately become common practice to manipulate the Specialist Report findings to justify an acceptable impact in support of the proposed development.

For example, the Avifuana report states at page 20:

“A White-backed Vulture (Gyps africanus) nest was found during the survey, which has a 1 km No-Go buffer for power line development. This will directly affect the proposed placement of the LILLO connection for the power line. It is recommended that the second survey to be conducted in the vulture’s breeding season in June, to confirm if the nest is still active. If the nest is found to still be active a 1 km No-Go buffer where no power lines can be constructed will be placed around the nest. If the nest is confirmed to be inactive, the nest should be removed, and the nest buffer will not be put in place. If the nest buffer is to be put in place, an alternative route will be required. A proposed alternative route is indicated in Figure 5-1.”

This is shocking and embarrassing. If the vulture is not found on the nest, then the nest will be removed and if it’s on the nest, only a 1-kilometre buffer will be implemented? In other words, the vulture is condemned either way. White backed Vultures are critically endangered mainly due to deaths from poisoning and electrocution (Roberts Bird Guide 2) and the critically endangered status of the White backed Vulture has been exacerbated by recent large-scale poisoning events.

Nothing is mentioned of the other hundreds (possibly thousands) of bird species nesting on the site. This could be misrepresentation by omission.

False representations made by Specialists in the EIA process are a criminal offence, according to the 2014 EIA Regulations and confirmed in the case of *S v Frylinck* North Gauteng Regional Court 14/1740/2010 (6 April 2011) (judgment attached as Annexure “C”).

3.3 Failure to assess site alternatives

- 3.3.1 In terms of Appendix 2 to the 2014 EIA Regulations, an applicant is required to present a comparative analysis of reasonable site, technology and no-go alternatives. According to the DSR, *“three (3) grid connection alternatives (substation locations and power line corridors) are under investigation as part of this environmental process, however, all alternatives are located on the Remainder of the Farm Portugal 198 and Farm Napoleon 216.”* Therefore, these are not site alternatives but merely different layout options.
- 3.3.2 Later in the DSR (on page 29), it is stated that *“no site alternatives are under consideration as part of the Scoping & EIA process as a site selection process has been undertaken by the Applicant for the identification of the assessment area. The assessment area is large in extent (863ha) and thus provides an opportunity to consider and avoid the sensitive environmental areas and features through the careful planning and placement of the development footprint.”*
- 3.3.3 The applicant has therefore not considered site alternatives, as required by the 2014 EIA Regulations, but has instead limited the site selection to the Farm Portugal 198 and the Farm Napoleon 216. The applicant has not adequately taken into consideration the Solar IDZ, as detailed above, which is land designated to host developments such as the proposed development.
- 3.3.4 The DSR’s alternatives assessment is therefore inadequate, particularly in its failure to consider viable locations within established REDZ or Solar IDZs that favour such developments. This omission breaches regulatory requirements and undermines the approach prescribed by NEMA and the 2014 EIA Regulations.

3.4 Additional specialist assessments to be undertaken for the proposed development:

- 3.4.1 The DSR, on pages 92 and 93, provides for a list of various specialist assessments to be undertaken in the next stage of the environmental assessment process. The provided current list is inadequate to effectively assess and advise on the negative impacts of the proposed development on environmental and socio-economic aspects. Therefore, the following additional specialist reports should be conducted for the next stage of the environmental process, including those already mentioned in the DSR:
- Hydrology and Stormwater Management Assessment – Should the site intersect with drainage lines or catchment areas; this will ensure that runoff from the site is managed sustainably and does not cause downstream impacts.
 - Noise Impact Assessment – The proposed Solar PV Facility will likely involve inverters, battery storage systems or substations close to noise-sensitive receptors such as private residences, schools, or lodges. Additionally, the

proposed development is situated in a sensitive environment (CBA and ESA, as discussed above) and any noise emanating from the development and construction phases, as well as the operational phase of the proposed development, has the potential to disturb the surrounding natural environment and must be properly assessed.

- Air Quality Assessment / Dust Generation Assessment – The construction phase activities, particularly in dry environments such as the Waterberg District, require an assessment of the potential harm caused to the environment via the generation of dust. Nearby sensitive receptors (e.g. farms, private residences game reserves, and other tourism-related facilities) will be impacted by the generation of dust. Conducting such a study will ensure that adequate measures are put in place to mitigate these issues.
- Tourism Impact Assessment – Areas such as the Waterberg District, where eco-tourism and game lodges are prominent and form a significant aspect of the Waterberg’s appeal, possess a significant number of tourist-driven business operations. These business operations in turn attract large numbers of tourists, many of which are international. Such an assessment will consider the visual, noise, and wilderness character impacts of the proposed development on tourism in and around the area.
- Cumulative Impact Assessment – This will consider how the proposed development, in combination with other existing or proposed developments in the area (e.g. mining, other renewables projects), may impact the environment and socio-economic systems.
- Waste Management Assessment – Outlines how the waste derived from the construction and operational phases of the proposed development (especially any hazardous or electronic waste) will be managed, especially in remote and sensitive environments.
- Groundwater Impact Assessment – This is necessary where the proposed development may impact existing aquifers, boreholes, or shallow groundwater systems and is particularly relevant in arid or water-scarce areas such as the Waterberg District. This assessment is also crucial given the context of the need for supply of water for the proposed development. Although the least favourable option, as set out above, is the abstraction of ground water from boreholes for the proposed development, this will likely have a significant impact on the availability of water to other existing users who depend on the consistent supply of groundwater for their personal use and business operations, should this option be selected.

4. Conclusion

- 4.1 The DSR is fatally flawed and the proposed development cannot be authorised by the decision maker for various reasons, such as:
- 4.1.1 The anticipated impact on biodiversity is overall very high and the site is not the correct or most suitable site for the proposed development. In this regard, the DSR should be objective and provide concrete numbers, for example state exactly how much biodiversity will be slaughtered- how many trees? How many spiders? How many insects and reptiles? How many bird's nests will be destroyed?
 - 4.1.2 The proposed development site remains in close proximity to the Madikwe Game Reserve and is also situated within a CBA and ESA, thus the EA cannot be granted;
 - 4.1.3 Alternative site options for the proposed development are not considered as required by the 2014 EIA Regulations. The site is a *fait accompli* and the EIA is a sham in this regard;
 - 4.1.4 Alternative site options for the proposed development are not considered in the context of the Solar IDZ and REDZ;
 - 4.1.5 One of our Clients, the surface rights owner of Farm Napoleon 216 KP has not consented in any way to the proposed development on its property. Furthermore, the Applicant is prohibited, under the 2014 EIA Regulations, from applying for an EA for the proposed development, without the written consent from the landowner of Farm Napoleon 216 KP;
 - 4.1.6 The proposed development would have an unacceptable negative visual impact and impact on the sense of place and on our Clients properties, resulting in reduction in the value of our Clients' properties and the use and enjoyment thereof; and
 - 4.1.7 Additional and objective specialist assessments must be conducted in the next stage of the environmental process as indicated above.
- 4.2 For these and other reasons the DSR is fatally flawed and, with respect, must be rejected by the decision maker if submitted in its current form.

Yours sincerely



Gunn Attorneys
Per: Adam Gunn

Francois Byleveld

From: Dale Holder
Sent: Tuesday, 29 July 2025 14:03
To: stuart@gunnattorneys.co.za; Francois Byleveld
Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za
Subject: RE: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006

Dear Stuart

The comments (and annexures) on behalf of your Clients as received per the below email are hereby acknowledged.

Kind Regards,

Dale Holder
SENIOR ENVIRONMENTAL PRACTITIONER
Cape EAPrac
NDip Nat.Con
EAPASA Reg. 2019/301

From: stuart@gunnattorneys.co.za <stuart@gunnattorneys.co.za>
Sent: Tuesday, 29 July 2025 12:38
To: Dale Holder <dale@cape-eaprac.co.za>; Francois Byleveld <francois@cape-eaprac.co.za>
Cc: adam@gunnattorneys.co.za; tim@gunnattorneys.co.za
Subject: Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province DFFE Ref No: 2025-02-0006
Importance: High

You don't often get email from stuart@gunnattorneys.co.za. [Learn why this is important](#)

Dear Dale and Francois

COMMENTS ON THE DRAFT SCOPING REPORT PREPARED IN SUPPORT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND THE ESTABLISHMENT OF THE PROPOSED BENYA SOLAR PHOTOVOLTAIC FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE LOCATED ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY, WATERBERG DISTRICT MUNICIPALITY, LIMPOPO PROVINCE - DFFE REFERENCE NO: 2025-02-0006

Please find attached the Comments together with Annexure **A**, **B** and **C**, submitted on behalf of our Clients, for the matter referred to above.

Kindly also acknowledge receipt of the above.

Kind regards,



GUNN
ATTORNEYS

COMMERCIAL
MINING
ENVIRONMENTAL

STUART TREDGOLD

LLB

CELL: +27 (0) 78 019 2160

ADDRESS: 4 Athlone Road, Parkview, 2193, South Africa

WEB: www.gunnattorneys.co.za

Francois Byleveld

From: Harmse S <harmse.seema@limpopo.gov.za>
Sent: Friday, 27 June 2025 17:37
To: Monyane T S
Cc: Francois Byleveld
Subject: FW: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province
Attachments: LIM884.04 Benya PV Notification of availability of Draft Scoping Report.pdf

You don't often get email from harmse.seema@limpopo.gov.za. [Learn why this is important](#)

Good afternoon Tebogo

Please receive this correspondence for your further handling.

@ Francois: Please note that your email has been forwarded to the office of the Head of Department for further processing.

The contact person is Ms Tebogo Monyane whom you can reach on 076 168 3873 / MonyaneTS@ledet.gov.za
Ms Monyane is the relevant person to handle this communique.

Thank you.

Ms Seema Harmse | Tourism Planning & Regulation
Limpopo Economic Development, Environment & Tourism
T: +27 (0) 15 293 8554
C: +27 (0) 79 341 0018
E: HarmseS@ledet.gov.za
Evridiki Towers, 20 Hans van Rensburg Street, Polokwane
www.ledet.gov.za



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From: Francois Byleveld <francois@cape-eaprac.co.za>
Sent: Friday, 27 June 2025 11:31
To: Dale Holder <dale@cape-eaprac.co.za>
Subject: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE

REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw23qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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Francois Byleveld

From: Francois Byleveld
Sent: Monday, 30 June 2025 08:21
To: poon@essprod.co.za
Cc: Dale Holder
Subject: Benya Solar PV - Limpopo Province

Tracking:	Recipient	Delivery
	poon@essprod.co.za	
	Dale Holder	Delivered: 2025/06/30 08:21

Good morning Mr Liebenberg,

I trust you are doing well.

Thank you very much for your online registration for the proposed Benya Solar PV project. Your contact details have been added to the stakeholder register for this project and we will be sure to keep you updated throughout the environmental authorisation application process.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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Francois Byleveld

From: Registration (Shared Mailbox)
Sent: Monday, 30 June 2025 08:08
To: Francois Byleveld
Subject: FW: Website Registration

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP
MSc Geology (University of the Free State)
Candidate EAP Reg: 2023/6593

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making. Kindly view our [Privacy Statement](#) for more information.



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From: Online Registration <from_mail@yourdomain.com>
Sent: Friday, 27 June 2025 18:18
To: Registration (Shared Mailbox) <registration@cape-eaprac.co.za>; Carin Naudé <carin@cape-eaprac.co.za>
Subject: Website Registration

Project Name : Benya solar pv
Name : Poon
Surname : Liebenberg
Title : Mr
Telephone : 0833254523
Fax :

Cell : 0833254523
Email: : Poon@essprod.co.za
Postal Details : P o box 958 halfway house
Post Code : 1685
Preferred method of communication : Email
Initial Comment :

Sending Time: 2025-06-27 18:18:27

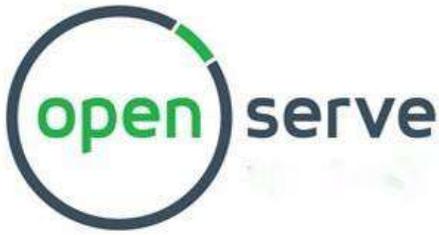
User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 18_5 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/18.5 Mobile/15E148 Safari/604.1

Host: 105.214.90.47

IP: 105.214.90.47

PORT: 49799

User: Guest



61 Oak Avenue, Highveld,
Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001
C: +27 81 354 8252
M: Pkm@openserve.co.za

12 July 2025

Openserve – a Division of Telkom SA SOC Ltd
61 Oak Avenue, Highveld
Private Bag X881, Pretoria, Gauteng, 0001

Our ref: NZ3227/25/26

YOUR REF : **Benya_Solar_PV**

The Directors

The above matter refers.

Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province
With boundaries defined hereafter referred to as THE SITE, in accordance with the provisions of Section 29(1) (b) of Electronic Communications Act no. 36 of 2005 ("the Act").

Telkom has analysed the information provided by the Applicant in accordance with the provisions of Section 29(1)(c) of the Act, and specifically the location of the site. Telkom SA hereby grants the Applicant the approval to proceed with the construction of its energy project at the site subject to the following terms and conditions:

- Take note that the findings made by Telkom are based on simulation and calculated on a theoretical model, using available data and assumptions where no data was provided. Therefore, such findings may change at any time should any further information be made available to or come to Telkom's attention.
- At any time after the approval, and during construction of the project, should any radio transmissions be affected by construction activities, Telkom will give the Applicant 30 (thirty) days' written notice to minimise or reduce and/or remove the cause of the interference. Under no circumstances will Telkom be liable to the Applicant or any other third party for any damages, of any nature whatsoever, suffered as a consequence of the aforementioned request.
- Construction activities underneath, along, across or within close proximity to Telkom infrastructure must comply to the applicable Telkom guidelines relating to clearances between equipment and the proposed construction activity. Furthermore, the Applicant must strictly adhere to and all installations must be fully compliant with the Occupational Health and Safety Act, 1993 (Act 85 of 1993).
- This approval is further subject to the submitted application's boundaries or structures listed in annexure 1 below, the materials used as well as the size and positioning of structures declared in the application. If any radio system is compromised by a deviation of this submission and the deviation cannot be reversed, the Applicant shall be liable for the cost to re-establish or relocate the service and under no circumstances will

Telkom be liable to the Applicant or any other third party for any damages, of any nature whatsoever, suffered as a consequence.

- This approval is valid and applicable to and between Telkom and the Applicant. It does not include approval by other electronic communication operators that have a co-sharing agreement for use on Telkom radio masts.
- Any additions, amendments, additional structures to be built or change to the energy farm boundaries will require a fresh application to Telkom.
- The validity of this approval is for a period of 12 (twelve) months. If construction of the designed project commences after the expiry of the twelve month period, the application must be re-submitted to Telkom for evaluation and approval.
- This approval does not imply any right of access to Telkom property or use of Telkom's access roads for construction or maintenance of the design project. Permission must be obtained from Telkom in this regard. Furthermore Telkom reserves the right to claim damages in terms of Section 108 of the Post Office Act No. 44 of 1958, for any loss sustained as a result of damage to our electronic communications infrastructure.
- the Applicant shall, in the carrying out of any work or project take all necessary precautions for the safety of Telkom's employees, contractors, representatives and its property including the radio links on or near the Site against damages as result of construction of the Applicant's energy project. the Applicant shall be liable for all and any direct and / or indirect, and / or consequential damages or injury that may be caused by the Applicant, its contractors, subcontractors, employees or representatives to any employee, contractor, representative or property of Telkom including radio links or land which may have been disturbed.
- Any work in connection with the construction of the Applicant's energy project shall be carried out by the Applicant, in such a way as to avoid any possible loss or inconvenience to the Telkom, its customers or the public, and on completion of such work, any property of Telkom, including radio links or land which may have been disturbed shall be restored to the same condition which it was in before commencement of the construction of energy project.
- In no event will Telkom, its employees, contractors, subcontractors or representatives be liable to the Applicant or anyone else for special, collateral, exemplary, direct, indirect, incidental, consequential or any other damages (including without limitation, loss of goodwill, loss of profits or revenues, loss of savings, loss of use, interruptions of business, and claims of the Applicant or injury) whether or not such damages or injury occurred prior or subsequent to, or are alleged as a result of any Telkom radio links approved and/or not approved in terms of this letter or as result of delict, even if Telkom SA has been advised of the possibility of such damages or injury.

We trust you find the above in order.

Regards,



PK Mahlangu

Wayleave Management

Francois Byleveld

From: Francois Byleveld
Sent: Monday, 28 July 2025 10:19
To: PK Mahlangu (PK)
Cc: Dale Holder; Stephan Jacobs; Zara Samsodien; Taryn Morrie Jacobs; Stephan Jacobs
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Tracking:	Recipient	Delivery
	PK Mahlangu (PK)	
	Dale Holder	Delivered: 2025/07/28 10:19
	Stephan Jacobs	
	Zara Samsodien	
	Taryn Morrie Jacobs	
	Stephan Jacobs	

Good morning,

I trust this email finds you well.

I hereby kindly acknowledge receipt of the response letter from OpenServe for the proposed Benya Solar PV development in the Limpopo Province dated 12 July 2025 on behalf of the Applicant.

Thank you very much for the feedback provided. PNE South Africa (formerly WKN Windcurrent SA) acknowledge that Telkom SA has granted approval to proceed with the construction of the energy project and will ensure that the terms and conditions are adhered to.

I hope you have a great day.

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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From: PK Mahlangu (PK) <PKM@openseve.co.za>
Sent: Saturday, 12 July 2025 08:34
To: Francois Byleveld <francois@cape-eaprac.co.za>
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

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PK MAHLANGU
WAYLEAVE MANAGEMENT
OFFICE: 081 354 8252
APPLICATION FOR WAYLEAVES:
EMAIL : Northzonewayleaves@telkom.co.za

From: Francois Byleveld <francois@cape-eaprac.co.za>
Sent: Monday, July 7, 2025 9:14 AM
To: Rishi Rampershad (R) <RishiR@openseve.co.za>
Cc: Indra Reddy (I) <indrar@openseve.co.za>
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

EXTERNAL EMAIL: Do not click any links or open any attachments, unless you trust the sender and know that the content is safe.

Good morning,

I trust you are doing well.

Please see attached a KMZ file of the proposed development as requested.

Please let me know should you require any additional information.

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530

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From: Rishi Rampershad (R) <RishiR@openserve.co.za>

Sent: Monday, 07 July 2025 08:14

To: Francois Byleveld <francois@cape-eaprac.co.za>

Cc: Indra Reddy (I) <indrar@openserve.co.za>

Subject: FW: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Importance: High

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Good Morning,

I await your **Drawing and KMZ file** for this request to be processed.

Thank you.

Regards

Rishi Rampershad
Wayleave Officer
Network Engineering and Build

Durban – Tollgate Office
391 King Dinuzulu/Berea Road, Bulwer, Durban, 4001

Mobile : +27 81 376 1768

Fax : +27 864 786 950

Email : rishir@openserve.co.za



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From: Rishi Rampershad (R)

Sent: Friday, 04 July 2025 12:54

To: 'Francois Byleveld' <francois@cape-eaprac.co.za>

Cc: Indra Reddy (I) <indrar@openserve.co.za>

Subject: FW: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Good day,

Please send me the **DRAWING and KMZ file** for this request to be processed.

Thank you.

Regards

Rishi Rampershad
Wayleave Officer
Network Engineering and Build

Durban – Tollgate Office
391 King Dinuzulu/Berea Road, Bulwer, Durban, 4001

Mobile : +27 81 376 1768

Fax : +27 864 786 950

Email : rishir@openserve.co.za



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From: Francois Byleveld <francois@cape-eaprac.co.za>

Sent: Friday, 27 June 2025 11:31

To: Dale Holder <dale@cape-eaprac.co.za>

Subject: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

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Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw23qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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Francois Byleveld

From: Francois Byleveld
Sent: Tuesday, 01 July 2025 15:02
To: Andre Bodenstein Transnet Property BLM
Cc: Dale Holder
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province
Attachments: Benya Solar PV Alternatives.kmz

Good afternoon André,

I trust you are doing well.

Please see attached a KMZ file of the proposed project area as requested.

Please let me know should you require any additional information.

Kind regards/Vriendelike groete

Francois Byleveld

Candidate EAP

MSc Geology (UFS)

Candidate EAP Reg # 2023/6770

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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From: Andre Bodenstein Transnet Property BLM <Andre.Bodenstein@transnet.net>

Sent: Tuesday, 01 July 2025 12:21

To: Francois Byleveld <francois@cape-eaprac.co.za>

Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

You don't often get email from andre.bodenstein@transnet.net. [Learn why this is important](#)

Hi Francois

The Transnet firewall does allow for dropbox access. Will you please send me a kml file of the project area.

Regards



André Bodenstein
Geo-Spatial Manager : Inland Region
Transnet Property
15 Blignaut Street, Bloemfontein
T +27 (0) 51 408 2111 **M** +27 (0) 83 553 0714 **E** andre.bodenstein@transnet.net

From: Francois Byleveld <francois@cape-eaprac.co.za>
Sent: Monday, 30 June 2025 10:19
To: Dale Holder <dale@cape-eaprac.co.za>
Subject: RE: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

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Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Please note that there was an error in the Dropbox Link shared in the email below on 27 June 2025. A new Dropbox Link is available in the table below to gain access to all documents.

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Dropbox Link	https://www.dropbox.com/sc/fo/6kvqwcarr34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=d29f1f64onfs

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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From: Francois Byleveld
Sent: Friday, 27 June 2025 11:31
To: Dale Holder <dale@cape-eaprac.co.za>
Subject: Notification of Availability of Draft Scoping Report for the proposed Benya Solar PV - Limpopo Province

Dear Registered and Potential Interested and Affected Party.

RE: NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT FOR THE PROPOSED BENYA SOLAR PV FACILITY (UP TO 500MW) AND INTEGRATED ELECTRICAL GRID CONNECTION INFRASTRUCTURE ON THE REMAINDER OF FARM PORTUGAL 198 AND FARM NAPOLEON 216 IN THE THABAZIMBI LOCAL MUNICIPALITY IN THE WATERBERG DISTRICT, LIMPOPO PROVINCE.

Kindly find the attached notification regarding the Availability of the Draft Scoping report for the proposed Benya Solar PV project.

Should you have any comments on the Draft Scoping Report, kindly provide these in writing to Cape EAPrac by no later than **29 July 2025**.

Cape EAPrac website	www.cape-eaprac.co.za
Dropbox Link	https://www.dropbox.com/scl/fo/6kvqwcar34jf8ji0v043i/AJE2f_c5v2KGNkZBBKuaMYs?rlkey=k5odkzuuw23qjh5pt4&st=c4j3gohd&dl=0

Kind regards/Vriendelike groete

Francois Byleveld
Candidate EAP
MSc Geology (UFS)
Candidate EAP Reg # 2023/6770

T: 044 874 0365
17 Progress Street, George
PO Box 2070, George 6530



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Cape Environmental Assessment Practitioners
(Cape EAPrac)
17 Progress Street
George
6530
By email: francois@cape-eaprac.co.za and dale@cape-eaprac.co.za

25 July 2025

Dear Francois Byleveld and Dale Holder,

COMMENT: DRAFT SCOPING REPORT FOR BENYA ENERGY PV AND ELECTRICAL GRID INFRASTRUCTURE, LIMPOPO PROVINCE (DFFE Ref: 2025-02-0012).

Thank you for the opportunity to comment on the Draft Scoping Report (DSr) for the Benya Solar Photovoltaic (PV) and Electrical Grid Connection Infrastructure Project, within the Thabazimbi Local and Waterberg District Municipalities, in the Limpopo Province, South Africa.

Vulpro's vulture tracking data supports the specialists' findings on the presence of White-backed Vultures (*Gyps africanus*), but also confirms activity by Cape Vultures (*Gyps coprotheres*) and Lappet-faced Vultures (*Torgos tracheliotos*) within both the proposed area of influence (POAI) and the wider 30 km buffer. Our data show that these species not only forage in the area, but also roost overnight in trees within the POAI. In addition, Vulpro monitors numerous White-backed Vulture nests to the north and north-east of the site, within the 30 km buffer, with the closest monitored nest located just 8 km away. These vultures often nest in loose aggregations (commonly referred to as colonies), and the presence of other nesting birds significantly influences nest site selection (Bamford *et al.*, 2009). Breeding activity in close proximity to the site is therefore highly likely.

The Birds and Solar Energy Guidelines (BirdLife South Africa, 2017) highlight that avifaunal sensitivity is influenced by habitat features such as wetlands, roosts, and nesting sites. In light of this, we request that the avifaunal specialists clarify which guidelines or references were used to justify the use of a 1 km buffer. White-backed Vultures are highly sensitive to both direct and indirect disturbance (Bamford *et al.*, 2009), and the loss of nesting habitat is a key concern (Murn *et al.*, 2017). Their known use of pylons for nesting further increases their vulnerability to electrocution and underscores the risks posed by this type of infrastructure. The addition of further power line infrastructure in this area could significantly exacerbate these risks.

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Rietfontein, Hartbeespoort
0216, North West Province

 admin@vulpro.com
 www.vulpro.com



Given the sensitivity of this region, it is important to highlight the risks already posed by existing power lines and to request that these be thoroughly assessed as well. Electrocution and collision with power lines remain among the most severe threats to vultures. The Birds and Solar Energy Guidelines (BirdLife South Africa, 2015) recommend that “Power lines should be checked for signs of bird collisions and electrocutions; the findings should be recorded as per post-construction phase mortality reports.”

While solar PV facilities generally pose minimal direct risk to vultures, aside from potential loss of foraging habitat, the proximity of this development to Critically Endangered White-backed Vulture nesting colonies raises serious concern. Disturbance from construction and associated infrastructure, including increased human activity and noise, could negatively affect breeding success. Given the presence of priority species and the regional significance of these colonies, we request that the avifaunal specialist thoroughly assess these risks, apply appropriate buffers, and ensure that all avifaunal mitigation measures are carefully considered.

We appreciate your attention to these concerns and remain available to provide further input or clarification if needed.

Yours sincerely,

Meagan Bromfield
Vulpro Renewable Energy Consultation Associate

References:

Bamford, A. J., Monadjem, A., & Hardy, I. C. (2009). Nesting habitat preference of the African White-backed Vulture *Gyps africanus* and the effects of anthropogenic disturbance. *Ibis*, 151(1), 51-62.

Jenkins, A. R., Ralston-Paton, S., & Smit-Robinson, H. A. (2015). Birds and solar energy best practice guidelines. South Africa: BirdLife South Africa.

Murn, C., Wilson, B., & Botha, A. (2017). The changing sizes of critically endangered White-backed Vulture breeding colonies around Kimberley, South Africa. *African Journal of Wildlife Research*, 47(2), 144-148.

Francois Byleveld

From: Dale Holder
Sent: Monday, 28 July 2025 16:28
To: Meagan Bromfield; Francois Byleveld
Cc: Kerri Wolter; Juliana Pinto
Subject: RE: Vulpro Comment: Benya Solar PV DSr

Dear Meagan

Thank you very much Vulpro's comment on the proposed Benya PV project.

I confirm that I have submitted the comment to our avifaunal specialist and have requested that they address it as part of the impact assessment.

Regards,

Dale Holder
SENIOR ENVIRONMENTAL PRACTITIONER
Cape EAPrac
NDip Nat.Con
EAPASA Reg. 2019/301

From: Meagan Bromfield <energy@vulpro.com>
Sent: Monday, 28 July 2025 14:26
To: Francois Byleveld <francois@cape-eaprac.co.za>; Dale Holder <dale@cape-eaprac.co.za>
Cc: Kerri Wolter <kerri@vulpro.com>; Juliana Pinto <research@vulpro.com>
Subject: Vulpro Comment: Benya Solar PV DSr

Dear Francios and Dale,
Cape EAPrac

Please find attached Vulpro's Comments on the Draft Scoping Report BENYA Solar PV, Dwaalboom, Limpopo Province.

Please acknowledge that comments for the following projects have been received.

Kind regards,

