

APPENDIX C1 – STAKEHOLDER NOTIFICATION LETTER

NOTICE OF APPLICATION FOR A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION

ORION EXPLORATION No. 5 (PTY) LTD, EXPLORATION PROSPECTING, COPPERTON, SIYATHEMBA LOCAL MUNICIPALITY, NORTHERN CAPE

30 November 2018

Dear Interested or Affected Party

Notification and Project Summary

Notification is hereby given in terms of the National Environmental Management Act 107 of 1998 and the Mineral and Petroleum Resources Development Act 28 of 2002 of the application for a Prospecting Right and Environmental Authorisation (EA) for prospecting activities in the vicinity of the historical Prieska Copper Mine (PCM).

Orion Exploration No.5 intends to undertake prospecting activities for a variety of minerals on the farms, Merries Pan, Hedley Plains A, Gras-Pan, Doonies Pan and Smouspan.

Prospecting activities will be undertaken through non-invasive (review of historical activities, geophysical survey, geophysical mapping, analysis of drill samples, feasibility study) and invasive (core drilling and trenching) techniques.

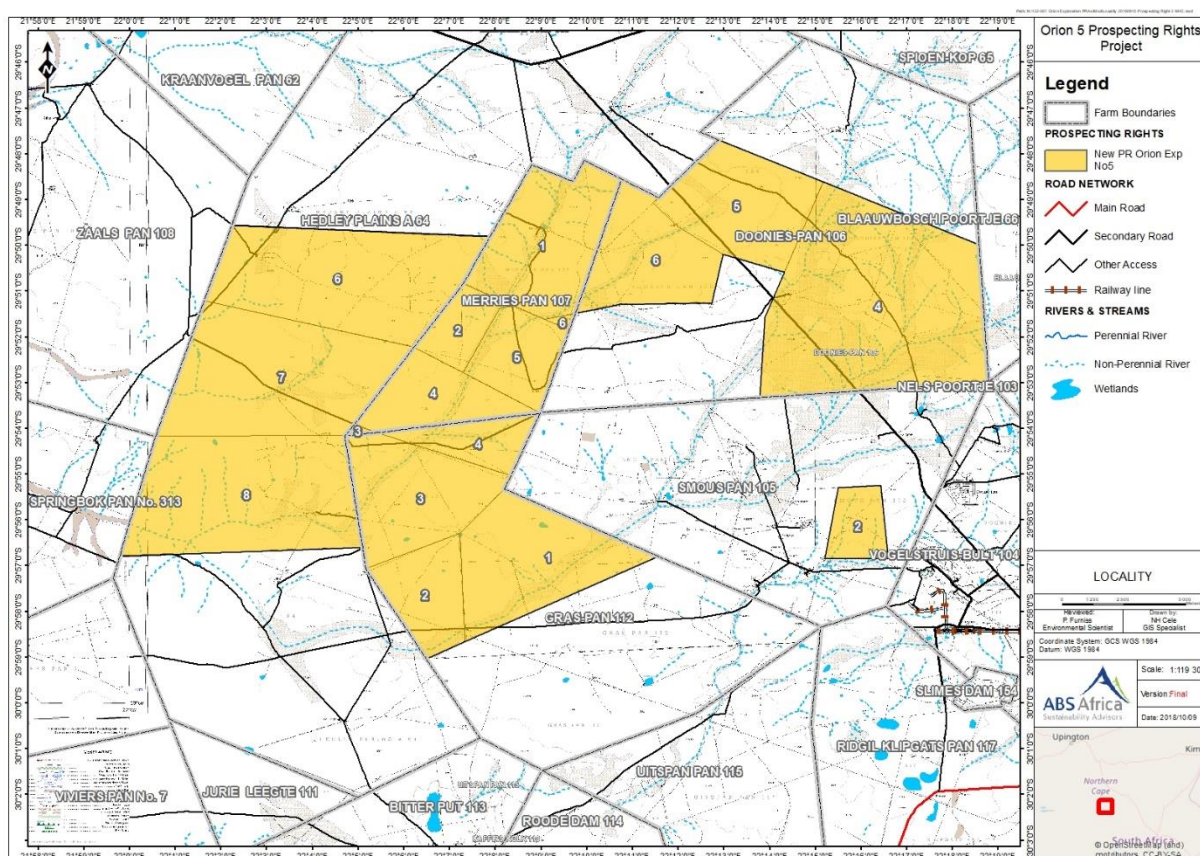


Figure 1: Location of the Prospecting Boundary

The prospecting right concerns listed activities identified in Listing Notice 1 of the EIA Regulations, 2014 (as amended). Accordingly, a Basic Assessment (BA) Process must be applied to the application for EA.

ABS Africa has been appointed as the Environmental Assessment Practitioner, responsible for undertaking the required BA Process. The Draft BAR has been completed and is available for a 30-day commenting period and may be accessed as follows:

- ➔ By download: <http://www.abs-africa.com/project-documents/>
- ➔ By e-mail: prieskapp@abs-africa.com
- ➔ Hard copies are available for review at the following venues:
 - Orion Minerals Site Office, Copperton
 - Prieska Municipal Library, Stewart Street, Prieska
 - Orion Minerals Office, Loots Boulevard, Prieska

Comments on the Draft BAR are to be submitted to ABS Africa by **22 January 2019**.

Please note: As per the EIA Regulations, 2014 (as amended) there will be an exclusion period from 15 December 2018 to 5 January 2019 for the public participation process. The comment period and availability of the hard copies of the Draft BAR will thus be from 30 November 2018 to 14 December 2018 and from 7 January 2019 to 22 January 2019.

Comments received will be captured into an Issues and Response Report which will be included in the Final BAR to be submitted to the Department of Mineral Resources. Registered Interested and Affected Parties will be notified of the availability of the Final BAR.

Should you have any queries with respect to this letter, please contact the undersigned.

We welcome your ongoing participation.

Kind Regards

Ms. Chané Pretorius

ABS Africa (Pty) Ltd

Tel: +27 21 403 6570

e-mail: prieskapp@abs-africa.com

Postal address: PO Box to 14003, Vorna Valley, 1686

Encl:

Registration and Comment Sheet

REGISTRATION AND COMMENT SHEET

Should you wish to be registered as an Interested and Affected Party (I&AP) for the Project, please complete your details in the form below and return to prieskapp@abs-africa.com.

Registration as an I&AP will ensure that you will receive further notifications on the status of the applications and that you will be informed of the availability of the Basic Assessment Report for your review and comment.

Please also make use of the form to note any initial queries or comments you may have regarding the applications.

Would you like to be registered as an Interested and Affected Party (I&AP) for the Project			Yes	No
I would like to receive further information regarding the Project via:	Email	Post	Fax	

Name & Surname			
Organisation			
Telephone Number		Fax	
Cell phone Number		Email	
Postal Address			
Comments:			
Please register the following I&APs for the Process:			

KENNISGEWING RAKENDE DIE AANSOEK OM 'N PROSPEKTERREG EN OMGEWINGSMAGTIGING

ORION EXPLORATION NO. 5 (EDMS) BPK, PROSPEKTERING, COPPERTON, SIYATHEMBA

PLAASLIKE MUNISIPALITEIT, NOORD KAAP

30 November 2018

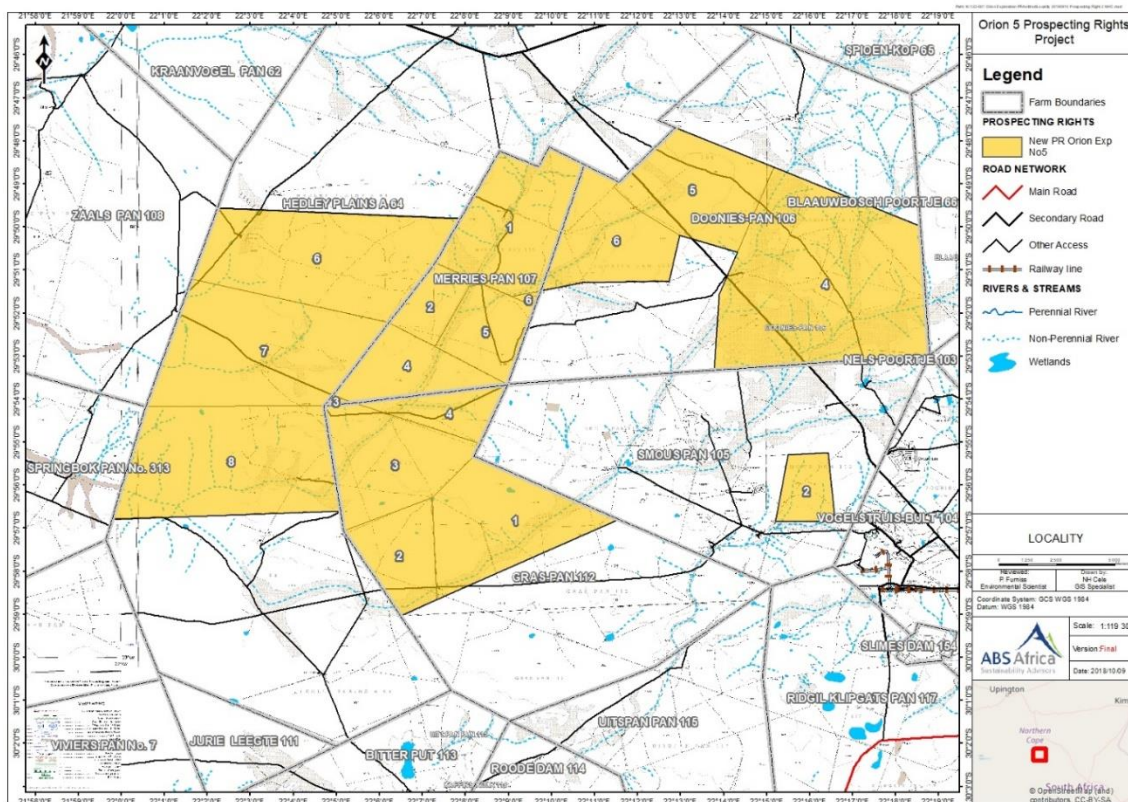
Geagte Belanghebbende en Geaffekteerde Party

Kennisgewing en Projek Beskrywing

Kennis word hiermee gegee ingevolge die Nasionale Omgewingsbestuur Wet (NOBW), (Wet 107 van 1998), die Wet op die Ontwikkeling van Minerale en Petroleum Hulpbronne (OMPW), (Wet No. 28 van 2002), van die aansoek om 'n Prospekterreg en Omgewingsmagtiging vir prospekteraktiwiteit in die omgewing van die historiese Prieska Koper Myn (PCM).

Orion Exploration No.5 beoog om prospekteraktiwiteit vir 'n verskeidenheid minerale op die plase, Merries Pan, Hedley Plains A, Gras-Pan, Doonies Pan en Smouspan te onderneem.

Prospekteraktiwiteit sal onderneem word deur nie-indringende (oorsig van historiese aktiwiteit, geofisiese opname, geofisiese kartering, analise van boormonsters, uitvoerbaarheidstudie) en indringende (kernboor en slootuitgrawings) tegnieke.



Figuur 1: Ligging van die Prospekterreg Aansoek Area

Die voorgestelde ontwikkeling het betrekking tot gelyste aktiwiteite wat geïdentifiseer is in Noteringskennisgewing 1 van die Omgewings Impak Bepallings-regulasies, 2014. Gevolglik moet 'n Basiese Assessering (BA) -proses op die aansoek vir n Omgewingsmagtiging onderneem word.

ABS Africa (Pty) Ltd (ABS Africa) is aangestel as onafhanklike omgewingsbepalingspraktisyn om die BA-proses te onderneem. Die Konsep BA verslag is voltooi en is beskikbaar vir 'n kommentaarperiode van 30 dae en kan soos volg bereik word:

- ➔ Deur af te laai via die internet: <http://www.abs-africa.com/project-documents/>
- ➔ Via e-pos: prieskapp@abs-africa.com
- ➔ Kopieë van die dokument kan ook by die volgende plekke besigtig word:
 - Orion Minerals Werf Kantoor, Copperton
 - Prieska Munisipale Biblioteek, Stewart Straat, Prieska
 - Orion Minerals Kantore, Loots Boulevard, Prieska

Insette en kommentaar rakende die voorlopige Omvangsbepalingsverslag moet ABS Africa asb. bereik voor of op **22 Januarie 2019**.

Let wel: Soos per die OIS-regulasies, 2014 (soos gewysig) sal daar 'n uitsluitings periode wees vanaf 15 Desember 2018 tot 5 Januarie 2019 vir die publieke deelname proses. Die harde kopieë van die Konsep BA verlag sal dus van 30 November 2018 tot 14 Desember 2018 en vanaf 7 Januarie 2019 tot 22 Januarie 2019 vir kommentaar beskikbaarheid wees.

Indien verdere inligting verlang word aangaande die inhoud van hierdie brief, kan die onderstaande persoon gekontak word.

Ons sien uit na U voortgesette deelname in die publieke deelname proses.

Die Uwe

Me. Chané Pretorius

Tel: +27 21 403 6570

e-pos: prieskapp@abs-africa.com

Pos adres: PO Box to 14003, Vorna Valley, 1686

Ingesluit:

Registrasie en Kommentaar Blad

REGISTRASIE EN KOMMENTAAR BLAD

Indien u wil registreer as 'n Belanghebbende en Geaffekteerde Party (BGP) vir die projek, voltooi asb. die aangehegde vorm en stuur die voltooide vorm terug aan prieskapp@abs-africa.com.

Registrasie as 'n BGP sal verseker dat u in die toekoms verwittig sal word van die status van die aansoek asook die beskikbaarheid van Basiese Impakbepalingverslag.

Die vorm kan ook gebruik word om voorlopige kommentaar of opmerkings te maak rakende die aansoek.

Wil u geregistreer word as 'n BGP vir die projek			Ja	Nee
Ek wil verdere inligting ontvang rakende die Projek via:		E-Pos	Pos	Fax

Naam & Van			
Organisasie			
Telefoon No.		Fax	
Sellulêre Telefoon No.		E-Pos	
Pos Adres			
Opmerkings			
Registreer asb. die volgende persoon as 'n BGP vir die projek:			

APPENDIX C2 - ADVERT



LEKE BERADERS

MNR. ABRAHAM SAAL het gepraat oor die rol van lokaal beraders wat die eerste skakel kan wees tussen slagoffers en ander organisasies by SANCA op Loeriesfontein se program om die 16 dae van bewusmaking van geen geweld teen vroue en kinders te begin.



ISIBINDI SE ROL

ME. DOROTHY van Isibindi het gepraat oor Isibindi se dienslewering in die gemeenskap by SANCA op Loeriesfontein se program om die 16 dae van aktivisme van geen geweld teen vroue en kinders te begin.



TIPES GEWELD

MEV. D. MOSES van die Departement van Maatskaplike Ontwikkeling aan die woord by SANCA op Loeriesfontein se program om die 16 dae van bewusmaking van geen geweld teen vroue en kinders af te skop Saterdag 17 November 2018.

SANCA MAAK BEWUS OP 17/11/2018

Puik program op Loeriesfontein

LOERIESFONTEIN — SANCA, saam met die Departement Vervoer, Veiligheid en Skakeling het op Saterdag 17 November afgeskop met 'n bewusmakingsprogram van geweld teen vroue en kinders. Die program het begin met 'n optog deur die strate van Loeriesfontein. Verskeie organisasies het deelgeneem. Die duur van die optog was tot 1330 waar dit geëindig het by Loeriesfontein gemeenskapsaal. Daar het ons offisiële program met die behulp van sprekers naamlik: DSD, Isibindi (Kinder Jeugsorgwerkers), Lay Councillors, CAB en ook die WAC begin.

SANCA: Mej Ilse Kouter en Mev A Ockhuis het die program geopen met 'n lied van Whitney Houston: *I didn't know my own Strength* aan al die vroue.

Die Departement van Maatskaplike Ontwikkeling: Mev D Moses het gepraat oor die verskillende tipes geweld. Isibindi (Kindersorg Jeugsorgwerkers): Me Dorothy het gepraat oor wat ISIBINDI se dienslewering in die gemeenskap is.

WAC: Me Carol Cupido het haar eie lewensverhaal oor seksuele mishandeling gedeel met die gemeenskap.

Leke Beraders: Mnr. Abraham Saal het gepraat oor hulle rol as Leke Beraders, en dat hulle die eerste skakeling sal wees tussen die slagoffer en ander organisasie wat van hulp kan wees.

CAB: Mnr Francois Farao het gepraat van die effekte wat Alkoholmisbruik het op Gesinsgeweld.

Die gemeenskap is vermaak deur 'n sang item van Whitney Houston — *Greatest Love of All* — gesing deur Mnr Marlon van Rooyen, en is ook vermaak deur twee Plaaslike Riedangroepe naamlik Boesmanland Bitterbessies en die Boesmanland Stofskoppers. Die versersings van die program is geborg deur Plaaslike Besighede.

SANCA en Departement Vervoer, Veiligheid en Skakeling wil hiermee herkenning gee aan die volgende borge: Hantam Munisipaliteit, Viswinkel, Mallala Gastehuis, Boesmanland Pup & Grill.

SESTIEN DAE AKSIE SWAK BYGEWOON

CALVINIA — Die SAPD en GPF van Calvinia het verlede week die veldtog 16 dae teen bewusmaking van vroue en kindergeweld in die gemeenskap geloods.

Verskeie departemente en rolspelers het hierdie geleentheid bygewoon. Gassprekers het vroue ingelig oor hul regte en die doel van die veldtog. Wat kommerwekkend is, is die aantal mense wat hierdie geleentheid bygewoon het. Meer sal gedoen moet word om meer getalle by so 'n veldtog te kry.

Verskeie programme sal ook aangebied word tydens die 16 dae en word afgesluit op VIGSDag met die uitdeel van pamflette. — DR

NUWELINGE DAAR

WILLIE VISAGIE het gedurende die jaar 'n belangrike verjaardag gevier toe kon hy en Mariëtha ook Saterdag 24 November 2018 deel wees van die lekker ete wat *Calvinia Gee Om* op Calvinia aangebied het.



KENNISGEWING RAKENDE DIE AANSOEK OM 'N PROSPEKTEERREG EN OMGEWINGSMAGTIGING

Orion Exploration No. 5 (Edms) Bpk, Prospektering, Copperton, Siyathemba Plaaslike Munisipaliteit, Noord Kaap

Kennisgewing en Projek Beskrywing

Kennis word hiermee gegee ingevolge die Nasionale Omgewingsbestuur Wet (NOBW), (Wet 107 van 1998), die Wet op die Ontwikkeling van Minerale en Petroleum Hulpbronne (OMPW), (Wet No. 28 van 2002), van die aansoek om 'n Prospekteringsreg en Omgewingsmagtiging vir prospekteraktiwiteit in die omgewing van die historiese Prieska Koper Myn (PCM).

The applikant doen aansoek vir prospekterregte op die volgende plase:

Farm Name	Farm Number	Portion	Farm Name	Farm Number	Portion
Merries Pan	107	2	Hedley Plains A	64	8
Merries Pan	107	3	Smous Pan	105	2
Merries Pan	107	4	Doonies Pan	106	4
Merries Pan	107	5	Doonies Pan	106	5
Gras Pan 112	112	1	Doonies Pan	106	6
Gras Pan 112	112	2	Merries Pan	107	1
Gras Pan 112	112	3	Merries Pan	107	6
Gras Pan 112	112	4	Hedley Plains A	64	6
Hedley Plains A	64	7			

Prospekteraktiwiteit sal onderneem word deur nie-indringende (oorsig van historiese aktiwiteit, geofisiese opname, geofisiese kartering, analise van boommonsters, uitvoerbaarheidsstudie) en indringende (kernboor en slootuitgrawings) tegnieke.

Basiese Impakbepalings Proses

Die voorgestelde aktiwiteit het betrekking op gelyste aktiwiteit wat geïdentifiseer is in Noteringskennisgewing 1 van die OIB-regulasies, 2014. Gevolglik moet 'n Basiese Impakbepalings Proses op die aansoek vir omgewingsmagtiging toegepas word. ABS Africa (Pty) Ltd (ABS Africa) is aangestel as onafhanklike omgewingsbepalingspraktisyn om die Basiese Impakbepalings Proses te onderneem

Die Konsep BA verslag is voltooi en is beskikbaar vir 'n kommentaarperiode van 30 dae en kan soos volg bereik word:

- Deur af te laai via die internet: <http://www.abs-africa.com/project-documents/>
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Let wel: Soos per die OIS-regulasies, 2014 (soos gewysig) sal daar 'n uitsluitings periode wees vanaf 15 Desember 2018 tot 5 Januarie 2019 vir die publieke deelname proses. Die harde kopieë van die Konsep BA verslag sal dus van 30 November 2018 tot 14 Desember 2018 en vanaf 7 Januarie 2019 tot 22 Januarie 2019 vir kommentaar beskikbaar wees.

Om te registreer as 'n Belangstellende en Geaffekteerde Partye (B&GP'e) of om verdere inligting te bekom, kontak asb. die onderstaande onafhanklike omgewingsbepalingspraktisyn:

Ms. Chané Pretorius
ABS Africa (Pty) Ltd
Tel: +27 21 403 6570
Posbus 14003, Vorna Valley, 1686
E-pos: prieskapp@abs-africa.com



SIYATHEMBA MUNICIPALITY NOTICE TO DISPOSE

1. Notice is hereby given that Siyathemba Local Municipality, with consultation with Northern Cape Provincial Treasury intends to dispose of the following immovable assets:
 - ★ Niekerkshoop ou kliniek
 - ★ Marydale ou kliniek
 - ★ Ou Kragstasie Marydale
 - ★ Ou KPA Gebou Marydale
 - ★ Mzamomhle Kleuterskool Prieska
 - ★ Hoë waarde gronde/High value property
 - ★ Karavaanpark Prieska
 - ★ Residensieël/ Residential
2. Additional to the above the property Siyathemba Local Municipality intends to dispose the following immovable assets:

Eienaar/Owner	Adres/Address	Erf nr.
Siyathemba Municipality	828 Sewende Laan	828
Siyathemba Municipality	827 Sesde Laan	827
Siyathemba Municipality	826 Sesde Laan	826
Siyathemba Municipality	831 Sewende Laan	831
Siyathemba Municipality	833 Sewende Laan	833
Siyathemba Municipality	823 Sesde Laan (Nagesien word)	823
Siyathemba Municipality	824 Sesde Laan (Nagesien word)	824
Siyathemba Municipality	7 Danie Smitstraat	731
Siyathemba Municipality	5 Danie Smitstraat	732
Siyathemba Municipality	3 Danie Smitstraat	733
Siyathemba Municipality	12 Du Toitstraat	366

3. Interested parties who believe they have reason or good cause to object to the aforementioned disposal, are called upon to make written representation within 21 days from the date of publication of this notice to Municipal Manager of Siyathemba Local Municipality, who shall review the representation.
4. For further information regarding the aforementioned disposal, interested parties may contact the office of the Municipal Manager, Siyathemba Local Municipality

Notice Nr: 27/2018

IWJ STADHOUER
Municipal Manager
Tel. 053 353 5300
26 November 2018

Municipal Office
Victoria Street
P O Box 16
PRIESKA 8940

APPENDIX C3 – SITE NOTICE



Entrance to PCM and Orion Site office



On the boundary fence at the intersection of the road to Copperton and the R357



At the intersection of the road to Copperton, Marydale

APPENDIX C4 – SUMMARY OF ISSUES RAISED BY I&APS

INTERESTED AND AFFECTED PARTIES LIST THE NAMES OF PERSONS CONSULTED IN THIS COLUMN; AND MARK WITH AN X WHERE THOSE WHO MUST BE CONSULTED WERE IN FACT CONSULTED	DATE COMMENTS RECEIVED	ISSUES RAISED	EAPS RESPONSE TO THE ISSUES RAISED
AFFECTED PARTIES			
Landowner/s (Owners of land included in the Prospecting Rights Area Boundary)	X		
Kgotso Moeketsi Department of Rural Development and Land Reform	Comment received via e-mail on 29 November 2018	I am the relevant person, but Ms Cynthia Nkoane is responsible for Property Management.	Thank you for the feedback. Ms. Nkoane has been added to the database.
Cynthia Nkoane Department of Rural Development and Land Reform	Comment received via e-mail on 15 January 2019	The following properties are owned / administered by the Department of Rural Development and Land Reform: (a) RE of Portion 1 of the Farm Merriespan No. 107, Prieska RD. (b) RE of Portion 2 of the Farm Merriespan No.107, Prieska RD. (c) Portion 6 of the Farm Dooniespan 106, Prieska RD. They were acquired as part of the Government's land distribution programme for the purposes of agricultural production and any proposed activity should not interfere with farming activities. The properties are under long term	Ownership is noted and is consistent with the details in the I&AP register and maps presented in the BAR. The basic assessment has concluded that the proposed prospecting activities are not expected to have an impact on current land uses, including the farming activities. Prospecting drilling is a low impact, short duration activity which, with proper

			lease with emerging farmers collectively referred to as the Kielder farmers. They must be directly engaged for their comments and inputs on all processes and proposals.	rehabilitation, should result in the land being restored to its original condition. The Kielder farmers representative (Ms. Van der Westhuizen) has been directly engaged.
Occupiers of the Site (Parties using land within the Prospecting Rights Area Boundary)	X			
Linda van der Westhuizen Kielder Farms		Comment received via e-mail on 21 January 2019	<p>Original Comment</p> <p>Sal graag meer wil weet van voor of nadele wat dit kan inhou vir my boerdery.</p> <p>ABS Translation</p> <p>Would like to know more about any advantages and disadvantages with respect to my farm.</p>	<p>Die basiese assessering het tot die gevolgtrekking gekom dat die voorgestelde prospekterings aktiwiteite nie 'n impak op huidige grond gebruike, insluitend enige boerdery sal hê nie. Om te boor vir prospektering het 'n lae impak op die omgewing, wat net 'n kort tydjie duur. Met behoorlike rehabilitasie sal die omgewing tot sy oorspronklike toestand terugkeer. Die applikant sal voor enige boor aktiwiteite begin met al die grondeienaars en/of grond gebruikers wat deur die boor proses geaffekteer gaan word in aanraking kom en 'n vergoedings ooreenkoms sal geteken word met die geaffekteerde partye</p> <p>The basic assessment has concluded that the proposed prospecting activities are not expected to have an impact on current land uses, including the farming activities. Prospecting drilling is a low impact, short duration activity which, with proper rehabilitation, should result in the land being</p>

					restored to its original condition. The applicant will, prior to drilling commencing, engage with all landowners and/or land users affected by the drilling and a compensation agreement will be signed with affected parties.
Adjacent Landowners (Owners of land immediately adjacent to the Prospecting Rights Area Boundary)	X				
No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.					
Adjacent Occupiers of Site (Occupiers and users of land immediately adjacent to the Prospecting Rights Area Boundary)	X				
Fabio Venturi on behalf of the Copperton Wind Farm		Via email on 10 December 2018	Please kindly register Terramanzi Group, representing Copperton Wind Farm (Pty) Ltd, for the above-mentioned Project applications. Please kindly provide hyperlinks to the document downloads.	Terramanzi Group has been registered. You can download both BAR documents by following: http://www.abs-africa.com/project-documents/ (Orion Expl. 5 Prospecting Right Applications).	
Fabio Venturi on behalf of the Copperton Wind Farm		Via email on 10 December 2018	Please kindly register Terramanzi Group, representing Copperton Wind Farm (Pty) Ltd, for the above-mentioned Project applications. Please kindly provide hyperlinks to the document downloads.	You can download both BAR documents by following: http://www.abs-africa.com/project-documents/ (Orion Expl. 5 Prospecting Right Applications)	

Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>1. Terms of Reference</p> <p>1.1. Terramanzi Group (hereinafter referred to as "TMG") is the appointed consultant to provide comment on behalf of Copperton Wind Farm (Pty) Ltd, the holder of the environmental authorization issued on the 15 August 2012 for the construction of the Copperton Wind Energy Facility, a 140MW Wind Energy Facility near Copperton, Northern Cape (DEA Authorisation Number: 12/12/20/2099) (hereinafter referred to as the "Copperton WEF").</p>	Noted, no response necessary
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>1.2. The comment that follows is a review of the Draft Basic Assessment Report (hereinafter referred to as "Draft BAR") prepared by ABS Africa (Pty) Ltd in relation to the Exploration No.5 Prospecting Right Applications (Merriespan Prospecting) (hereinafter referred to as the "Merriespan Prospecting Project").</p>	Noted, no response necessary.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>1.3. The Copperton WEF is located to the south-east of the proposed Merriespan prospecting area, sharing a tip of the eastern border of the proposed prospecting area. The town of Copperton is located approximately 3.5km west of the Copperton WEF.</p>	Noted, no response necessary
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>1.4. It is evident from the review that there are a number of deficiencies throughout various aspects of the Draft BAR. Furthermore, the impact of the proposed Merriespan Prospecting Project on the neighbouring Copperton WEF have not been identified nor assessed and therefore the assessment is flawed and</p>	<p>Surrounding land users, including wind farms like the Copperton Wind Farm have been identified in Section 8.1.18 and the locality map in Appendix B of the BAR.</p> <p>The impact of the proposed prospecting activities on current and adjacent land uses has been</p>

Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	must be redone, in addition to ground truthing with real data.	assessed in accordance with the requirements of the EIA Regulations, 2014 (as amended).
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>2. General Comments</p> <p>2.1. The report stipulates that no Waste Management License is required (Section 3.2 on page 16 of the Draft BAR), however this statement is not justified or substantiated.</p> <p>2.2. The Draft BAR fails to list the production of renewable energy through the means of wind turbines as activity that occurs within the immediate surrounding environment, and therefore fails to assess the impacts of this proposed prospecting operation on the neighboring wind energy facility. The omission of this information contradicts a key finding of the draft BAR stated on page 53 in section 18.1 that "sufficient and appropriate information on the proposed development and the receiving environment was available for conducting the impact assessment". We request that these impacts are assessed, and appropriate mitigation measures be incorporated into the EMPr.</p>	<p>No listed waste management activities have been identified as being relevant to the proposed prospecting activities.</p>	
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	<p>3. Procedural Comments</p> <p>3.1. According to NEMA No. 107 of 1998 an Environmental Assessment Practitioner refers to "the individual responsible for the planning, management, co-ordination or review of environmental impact assessments, strategic</p>	<p>Surrounding land users, including wind farms like the Copperton Wind Farm have been identified in Section 8.1.18 and the locality map in Appendix B of the BAR.</p> <p>The impact of the proposed prospecting activities on adjacent land uses has been assessed in accordance with the requirements of the EIA Regulations, 2014 (as amended).</p> <p>Mitigation measures have been proposed in the EMPr.</p>	
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019			<p>The name of the EAP responsible for the BAR is provided in Section 1 of the BAR, their experience summarised in Section 1.2 of the BAR and a copy of their CV is provided in Appendix A of the BAR.</p>

			<p>environmental assessments, environmental management programmes or any other appropriate environmental instruments introduced through regulations". The draft BAR refers to ABS Africa as the name of the practitioner, and then proceeds to list the qualification of individuals. It is incorrect practice and unlawful for a company to be listed as the EAP.</p>	<p>The details of ABS Africa are included as it is the company which has been contracted by the applicant.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>		<p>Via email and attached letter on 18 January 2019</p>	<p>3.2. The draft BAR does not stipulate what measures were taken to adequately assess and investigate alternatives. The NEMA, 1998, Appendix 1 3.(1) (h) states that a BAR must contain "a full description of the process followed to reach the proposed preferred alternative within the site". This draft BAR does not adequately address the requirements of NEMA with regards to the scope of assessment and content of the BAR.</p>	<p>Please refer to Section 6 and Section 13 of the BAR for details concerning the alternatives that have been considered.</p> <p>The BAR has been compiled in a manner which addresses the requirements of the EIA Regulations, 2014 (as amended) and the reporting format prescribed by the DMR.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>		<p>Via email and attached letter on 18 January 2019</p>	<p>3.3. The Environmental Management Programme Report refers to licensed water sources (Section 29.2, page 61), from which 10kl per day (per drill rig) will be obtained. The license number or a copy of these water use licenses (WUL) have been omitted from the report. It is requested that proof of these WUL be attached in subsequent BARs.</p>	<p>Specific water resources have not been identified at this stage as it will depend on the location of the invasive prospecting activities, which will only be determined after the non-invasive prospecting activities are complete.</p> <p>If necessary, water will be obtained from the Alkantpan Pipeline in Copperton and transported to drilling site locations.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>		<p>Via email and attached</p>	<p>4. Material Comment</p>	<p>The impact of the TDEM surveys has been assessed in the BAR, mainly in terms of its radio-</p>

		<p>4.1. Draft BAR refers to the methodology of prospecting, notably the use of time-domain electromagnetic (TDEM) ground and airborne surveys. The report however fails to assess the impacts of employing this methodology, particularly with attention to the WEF are yet to be determined.</p>	<p>frequency and electro-magnetic frequency impact to the SKA / MeerKAT radio telescopes.</p> <p>The TDEM survey will be confined to the boundaries of the prospecting right area and no impact to the Copperton Wind Farm is thus anticipated.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached letter on 18 January 2019</p>	<p>4.2. This report coincides with the public comment period for the Orion Exploration No.5 Prospecting Right Application (Klipgatspan Prospecting) draft BAR for a prospecting right for an area within close proximity of the proposed Merriespan prospecting area, and the Copperton WEF. The table on page 16 of both Draft BARs have identical values. This table details the area of the roads and drilling that will take place on the proposed prospecting area. Please confirm if this was an oversight, or if despite the different prospecting areas differing in size and shape the area of these activities will be identical on both properties.</p>	<p>The BAR has been corrected to reflect that the invasive prospecting activities will comprise of a planned 10 holes only, with a total surface disturbance area of approximately 0.29 ha.</p> <p>Note that this does not constitute new information but rather the correction of an error which has no influence on the impact assessment or recommended mitigation measures.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached letter on 18 January 2019</p>	<p>4.3. The Appendix 1 of the NEMA EIA Regulations, 2014 as amended, outline the requirements of the assessment and content of BAR. Included in these requirements is a <i>"motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location."</i> We would like to state that this Draft BAR does not adequately motivate the need and desirability of the prospecting project, as</p>	<p>The need and desirability discussion is presented in Section 5 of the BAR. The discussion includes reference to the potential for economic growth, local economic development and employment creation if quality minerals were discovered and mining were to proceed.</p> <p>It is important to recognise that this application is for prospecting and not for mining or another</p>

		<p>the EAP merely highlights that the proposed sites are believed to be located on geology that suggests there are viable orebodies. The presence of potentially viable orebodies within the prospecting area is not substantive motivation for a project to proceed.</p>	<p>type of permanent land use where a detailed assessment of need and desirability is important.</p> <p>The need and desirability analysis in the BAR complies with the requirements of the EIA Regulations, 2014 (as amended) and is adequate for informing an activity that is small-scale, temporary and low-impact.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached letter on 18 January 2019</p>	<p>4.4. Specialist Assessments</p> <p>4.4.1. This draft BAR is an application for a prospecting right, however it is submitted that investigations which have been conducted for the assessment of the impacts of the proposed prospecting are inadequate. Reviewal of the assessment of the baseline environment, conducted through a desktop review, suggests that this specialist report is insufficient in terms of the requirements laid out in Appendix 6 of the NEMA, 1998 EIA Regulations, 2014 (as amended). Key aspects of the proposed prospecting are to hinge on this baseline information, and therefore ground truthing and full compliance with the requirements of NEMA are essential.</p>	<p>Given the significant extent of the prospecting rights area and the intention to temporarily disturb approximately 0.29 ha as part of the prospecting activities, it is impractical and unreasonable to subject the entire proposed area to a detailed specialist study.</p> <p>Sensitive heritage and ecological areas have been identified and excluded from invasive prospecting. Furthermore, the EMPr requires that an ecological and heritage survey be done at each drilling site prior to drilling commencing to ensure that no sensitive environmental and/or heritage feature is impacted upon.</p> <p>Given this, it is concluded that sufficient and adequate information on the baseline environment has been provided in the BAR.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached</p>	<p>4.4.2. In furtherance to the point above, please be advised that a botanical assessment was conducted on the Copperton WEF site, located</p>	<p>The EMPr requires that an ecological survey be done at each drilling site prior to drilling</p>

		<p>letter on 18 January 2019</p>	<p>in close proximity to the proposed prospecting site (McDonald, 2016). This assessment showed that there is a protected species found on the site, which may be present in the areas surrounding the Copperton WEF. Anderson (2010) also noted a number of plants of special concern that were found areas adjacent to the Copperton WEF site. These species should be considered on the sites for prospecting right.</p>	<p>commencing to ensure that no threatened or protected species are impacted upon.</p>
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached letter on 18 January 2019</p>	<p>4.5. Potential Mining Impacts 4.5.1. Should the prospecting identify viable orebodies for mining, and mining of these minerals are pursued, the impacts of the following are likely to adversely affect the Copperton WEF;</p>	<p>This application and associated basic assessment is only for prospecting. Impacts of any mining, should this proceed, will have to be assessed as part of the mining right application and scoping and environmental impact reporting process required at that time.</p>	
<p>Fabio Venturi on behalf of the Copperton Wind Farm</p>	<p>Via email and attached letter on 18 January 2019</p>	<p>4.5.2. Mining method of blasting 4.5.2.1. The operation, longevity and maintenance of the WEF are likely to be negatively impacted by the potential for future blasting should the prospecting prove to identify viable orebodies for mining. The turbines and infrastructure are potentially susceptible to even low levels of vibration impacts. The measures of the potential vibrations were omitted from the report Draft BAR,</p>	<p>Please see response to comment 4.5.</p>	

Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>therefore is uncertain what the potential degree of impact will be.</p> <p>4.5.3. Dust impacts 4.5.3.1. Should the potential mining go ahead, it is likely that the dust impacts that will arise from the mining will impact the functioning and maintenance of the Copperton WEF. particularly as Copperton is downwind of the proposed site for the mine.</p>	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>4.5.3.2. Furthermore, it is important to establish the cumulative impacts of the dust on the surrounding areas.</p>	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>4.5.4. Geology 4.5.4.1. Impacting the integrity of the geology and surface (sinkholes, slope failure, etc) can have a consequence on the surrounding environment, particularly the Copperton WEF.</p>	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>4.5.5. We argue, on behalf of our Client, that these potential actions be investigated as should these impacts be fatal to the surrounding environment the prospecting projects may prove to be redundant.</p>	Please see response to comment 4.5.

Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5. Requirements of the EAP</p> <p>5.1. Substantiate the reasoning as to why no Waste Management License is required.</p>	Please see response to comment 2.1.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5.2. Acknowledge the adjacent location of the Copperton WEF and the potential impacts of the prospecting activities on this neighbouring infrastructure.</p>	Please see response to comment 2.2.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5.3. Rectify the EAP information, as it is unlawful for a company to be registered as the EAP in terms of the NEMA EIA Regulations</p>	Please see response to comment 3.1.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5.4. Provide proof of the WUL referenced in the EMPr.</p>	Please see response to comment 3.3.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5.5. Assess the prospecting methods, specifically TDEM, with regards to the impacts they may have on the surrounding environment and infrastructure, particularly that of the Copperton WEF.</p>	Please see response to comment 4.1.
Fabio Venturi on behalf of the Copperton Wind Farm		Via email and attached letter on 18 January 2019	<p>5.6. The EAP needs to confirm if the validity of the data detailed in the table on Page 16 of the Draft BAR, and the details are identical to the area extent of a different draft BAR application for a closely related Prospecting Right Application for the Klipgatspan Farm.</p>	Please see response to comment 4.2.

Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.7. Provide a substantive motivation regarding the need and desirability of the prospecting right.	Please see response to comment 4.3.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.8. Conduct a botanical assessment that adequately meets the requirements of NEMA as laid out in Appendix 6 of NEMA.	Please see response to comment 4.4.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.9. Determine the impacts (and cumulative impacts) of the proposed activity on the surrounding environment, with particular attention to the WEF; specifically, regarding the following	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.9.1. Blast mining	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.9.2. Resultant dust and air quality	Please see response to comment 4.5.
Fabio Venturi on behalf of the Copperton Wind Farm	Via email and attached letter on 18 January 2019	5.9.3. Integrity of the geology and ground surface	Please see response to comment 4.5.
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd	Via email and attached	1. We act for Copperton Wind Farm (Pty) Ltd, the holder of the environmental authorisation issued on 15 August 2012 for the construction of the Copperton	Noted. No response necessary.

		letter on 22 January 2019	Wind Energy Facility, a 140 MW Wind Energy Facility near Copperton, Northern Cape (with Authorisation Number: 12/12/20/2099) (hereinafter referred to as the "Copperton WEF").	
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>2. The purpose of this letter is to supplement the comments provided by Terramanzi Group (Pty) Ltd ("TMG") under cover of two letters dated 18 January 2019, subject to respectively the Klipgatspan Prospecting Project and Merriespan Prospecting Project, in relation to the draft Basic Assessment Reports ("BAR") prepared by ABS Africa (Pty) Ltd in relation to the applications by Orion Exploration No. 5 (Pty) Ltd for Prospecting Rights for minerals within the Copperton Subvolcanic area.</p>	Noted. No response necessary.
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>3. Based on the comments dated 18 January 2019 prepared by TMG, we support the contention that there is a lack of information to support the notion that the mitigation measures will be a failsafe mechanism for protecting the operational success and viability of the Copperton WEF. More specifically, there is insufficient information to show that all impacts on Copperton WEF have been identified and all potential impacts will be avoided and/or mitigated. The draft BARs do not enable the competent authority (the Department of Mineral Resources ("DMR")) to have regard to all potential adverse environmental and socio-economic impacts, for the reasons identified by TMG.</p>	Sufficient information on the potential impact of the prospecting activities on the environment and surrounding land users has been presented in the BAR. Please see the specific responses to the comments raised by TMG.

Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>4. The Copperton WEF is a significant investment in renewable energy technology. The sustainable and long-term operation of the turbines and infrastructure (both above-ground and below-ground) is critical to the viability of the Copperton WEF. The turbines and infrastructure are potentially susceptible to vibration impacts caused by drilling and other subsurface interventions associated with the proposed prospecting.</p>	Noted. No response necessary.
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>5. The BARs in connection with the abovementioned applications do not identify, evaluate or assess the adverse impacts associated with drilling. More detailed information is required to illustrate that the avoidance and control of offsite impacts associated with drilling and prospecting operations is practicable and possible.</p>	<p>Adverse impacts of the prospecting activities, including drilling, have been assessed in the BAR.</p> <p>No vibration impact to the Copperton Wind Farm or any other land user has been identified as diamond-core drilling is a non - vibration impact activity.</p>
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>6. As described in the letters dated 18 January 2019 from TMG, the relevant BARs do not contain sufficient information which (1) identifies the impacts and risk associated with drilling in relation to the prospecting projects and/or (2) the precise measures and management practices required to be followed in order to control and minimise the adverse effects on the Copperton WEF. Such information is required in order for the Basic Assessment process to satisfy the reporting requirements of the EIA Regulations and in turn for the Department's decision-making functions to withstand scrutiny in terms of section 2 and 24 of</p>	Please refer to the responses to the issues raised by TMG.

Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd		the National Environmental Management Act No. 107 of 1998 ("NEMA").	
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd	Via email and attached letter on 22 January 2019	7. There is a potential for the proposed projects to impact adversely on the operational sustainability and viability of the Copperton WEF. The EIA process is required to identify and predict the actual or potential impact on socio-economic conditions, including the impact of a proposed development on the feasibility of other developments.	This application is for a small-scale, temporary and low-impact prospecting activity. The prospecting activities have not been assessed to have any impact on the socio-economic conditions of any other developments. Impacts of any mining, should this proceed, will have to be assessed as part of the mining right application and scoping and environmental impact reporting process required at that time. Where a mining development impacts on the socio-economic conditions of another development, a compensation agreement is typically signed between the relevant parties.
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd	Via email and attached letter on 22 January 2019	8. The BARs for the Klipgatspan and Merriespan Prospecting Projects do not currently identify and predict the actual or potential environmental and socio-economic impacts associated with the projects.	The socio-economic impacts of the prospecting activities have been considered. The socio-economic baseline is described in Section 8.1.15 of the BAR and the socio-economic impacts and mitigation measures, relevant to prospecting, are described in Sections 12, 16, 18 and 19 of the BAR and in several sections of the EMPr.
Richard Summers INC on behalf of Copperton Wind Farm (Pty) Ltd	Via email and attached letter on 22 January 2019	9. The failure to adequately address the procedural and material concerns raised in respect of these Projects will result in the Environmental Assessment Practitioner's submissions to the Department being considered non-compliant with NEMA and the EIA	The BAR and the mitigation measures in the EMPr are considered to be compliant with the requirements of the EIA Regulations, 2014 (as amended). It is submitted that the alleged procedural and material concerns are unrelated to the scope of the present application for prospecting. Rather,

			Regulations. Should this occur, our client reserves its rights to take appropriate legal action.	the concerns relate to the potential future impacts of mining on the Copperton Wind Farm. This concern is valid but should be addressed through the mining right application and associated scoping and environmental impact reporting process applicable at that time.
Competent Authorities	X			
No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.				
Municipal Councillor	X			
Gloria Speelman Siyathemba Local Municipality: Ward 4 Councillor		No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.		
Local and District Municipality	X			
H Tsume (Mayor) IWJ Stadhouer (Municipal Manager) J Basson (Infrastructure) Siyathemba Local Municipality		No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.		
MT Kibi Pixley ka Seme District Municipality		No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.		
Communities	X			

Residents of Copperton were notified through the site and newspaper notices and a hard copy of the Draft Basic Assessment Report was placed at the Orion Minerals Site Office in Copperton.

Department of Land Affairs	X		
Kgotso Moeketsi Provincial Head: NC Department of Agriculture, Land Reform and Rural Development		No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.	
Traditional Leaders	N/A		
There is no traditional leadership structure applicable to the Mining Right Application Area.			
Department of Environmental Affairs	X		
Thulani Mthonbeni Dineo Kgosi David Khakhane NC Department of Environmental Affairs and Nature Conservation		No comments received. The stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.	
Department of Water and Sanitation			
Ntoi Mosala		Comment received via e-mail on 30 November 2018	The stakeholder notification letter was distributed to the DWS Office of the Provincial Head: Northern Cape Province on 3 December 2018 and a reminder notification was sent on 7 January 2019.

Organs of State with Jurisdiction	X		
Norman Papenfus Transnet	Comment received via e-mail on 9 January 2019	This office has no objection to the proposed application. Transnet and its OD's are not affected. The closest railway line (Copperton station) lies ± 3,2 km north west.	Comment noted.
Busang Sethole South African Radio Astronomy Observatory	Via email on 25 January 2019	Apologies, the SKA has not been able to comment on the draft basic assessment report regarding this project. Please may you kindly send me the draft documents as I am no longer able to access it online. I understand the commenting period has already closed but i would like to see if there are any issues that may negatively affect the SKA.	<p>I will send you a Dropbox link following this email to access the documents.</p> <p>Please note that if SKA comments is to be included in the Final BAR, you will have to submit these by Tuesday 29 January 2019 at the latest as we are obliged to finalise the BAR in accordance with the timeframes stipulated in the EIA Regulations, 2014 (as amended).</p> <p>Project Background.</p> <p>Orion Exploration No. 5 (Pty) Ltd is applying for two Prospecting Rights for various minerals within the Copperton Subvolcanic area. If a prospecting right is granted a non-invasive survey will be undertaken to establish the availability an orebody of economic tonnage and grade. The location of the invasive prospecting activities (drilling and trenching) will be informed by the information obtained through the non-invasive prospecting activities, particularly the TDEM survey data.</p>

<p>Busang Sethole South African Radio Astronomy Observatory</p>		<p>Via email on 31 January 2019</p>	<p>Thanks, it looks like the SKA concerns are already well captured.</p>	<p>Comment acknowledged. No response necessary.</p>
<p>Other Competent Authorities Affected</p> <p>Natasha Higgitt South African Heritage Resource Agency</p>	<p>X</p>	<p>Via email and attached letter on 31 January 2019</p>	<p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development and supports the recommendations of the specialists. The recommendations of the specialists and the following conditions must be included in the Environmental Management Programme (EMPr) to be included in the conditions of the EA:</p> <p>A walk-down of the finalised locations for invasive prospecting must be conducted prior to the commencement of the invasive activities (this includes any ground clearance activities). A report detailing the results of the walk-down including an assessment of the impact to any identified heritage resources with the corresponding mitigation measures must be submitted to SAHRA for comment prior to invasive activities occurring. No invasive activities may occur without comment from SAHRA in this regard;</p> <p>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</p> <p>If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed</p>	<p>The BAR section 21 Aspects for Inclusion As Conditions Of Authorisation has been updated to include the requirements as per SAHRAs letter dated 31 January 2019 and has also been attached in Appendix C of the final BAR.</p>

		<p>development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted. If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 35(3) and 36(6) of the NHRA. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;</p> <p>The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</p>	
Other Affected Parties	N/A		
No other affected parties identified to date.			
Interested Parties	X		
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	Via email and attached letter on 22 January 2019	<p>1. We have been instructed by Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd to assist with the review of a Draft Basic Assessment Report (DBAR) and its associated annexures, including the EMPr, and to provide comments thereon. The DBAR has been prepared by ABS Africa (Pty) Ltd on behalf of Orion Exploration No. 5 (Pty) Ltd (Orion) in respect of an application for environmental authorisation in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA),</p>	Noted.

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>read with the Environmental Impact Assessment (EIA) Regulations, 2014 for prospecting activities proposed to be undertaken by Orion on the farms:</p> <ol style="list-style-type: none"> 1.1. Portions 1, 2, 3, 4, 5 and 6 of Farm 107, Merries Pan; 1.2. Portions 1, 2, 3 and 4 of Farm 112, Gras Pan; 1.3. Portions 6, 7 and 8 of Farm 64, Hedley Plains A; 1.4. Portion 2 of Farm 105, Smous Pan; and 1.5. Portions 4, 5 and 6 of Farm 106, Doonies Pan (collectively "the subject properties") 	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<ol style="list-style-type: none"> 2. Mulilo was notified of the above application by correspondence received from ABS Africa on 30 November 2018. The aforementioned correspondence advises that comments on the DBAR are to be submitted to ABS Africa on or before 22 January 2019, being the 30-day commenting period prescribed by regulation. These comments are accordingly submitted within this timeframe. 	<p>The first stakeholder notification letter was distributed on 30 November 2018 and a reminder notification was sent on 7 January 2019.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<ol style="list-style-type: none"> 3. It is our view that the DBAR in its current form contains several material deficiencies, and most fundamentally: 	<p>Having considered the comments submitted against the requirements of the legislation, we do not find any material deficiencies in the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV</p>		<p>Via email and attached letter on 22 January 2019</p>	<ol style="list-style-type: none"> 3.1 It does not satisfy the minimum legal requirements for a basic assessment report 	<p>The BAR complies with the minimum legal requirements, including the requirement for the BAR to be submitted in the format prescribed by the competent authority.</p>

<p>Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>3.2 Has failed to adequately consider all feasible and reasonable alternatives</p>	<p>Feasible and reasonable alternatives have been considered adequately to the extent practicable for the type of activity proposed. The range of alternatives which can be practicably considered for a prospecting activity is restricted by factors like geology and availability of mineral rights. Additional information is provided below in response to the specific comments on this aspect.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>3.3. Has failed to adequately consider the need and desirability of the proposed prospecting activities;</p>	<p>The need and desirability of the proposed prospecting activities have been considered adequately. It is important to note in this regard that the need and desirability of a proposed prospecting activity should not be conflated with the need and desirability of a proposed mining activity. Additional information is provided below in response to the specific comments on this aspect.</p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>3.4 Has failed to adequately assess all relevant impacts</p>	<p>All relevant impacts associated with the proposed prospecting activity have been adequately assessed in the BAR. Additional information is provided below in response to the specific comments on this aspect.</p>	

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>3.5 has failed to provide sufficient information for interested and affected parties ("I&APs") (Including Mulilo) to meaningfully comment on the application.</p>	<p>Sufficient information for the purpose of the prospecting right application has been provided to I&APs.</p> <p>Additional information is provided below in response to the specific comments on this aspect.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>4. Fundamentally, the DBAR fails to adequately consider the impact of the proposed prospecting activities on Mulilo's approved and operational solar PV facilities, as well as Mulilo's approved but as-yet undeveloped solar PV facilities located on the adjacent Farm 104, Vogelstruisbult. A locality map depicting the aforementioned solar PV facilities in relation to the proposed prospecting area.</p>	<p>The impact of the proposed prospecting activities on current and future land uses has been considered adequately. This includes the operating and proposed solar PV facilities which are specifically indicated in the maps provided as annexures to the BAR. It is noted that the nearest proposed solar PV facility (Struisbult PV 2) and nearest operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.7 km and 4.4 km respectively, from the nearest boundary of the prospecting right area.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>5. A full description of the extent and nature of Mulilo's operational activities on the farms in the vicinity of the subject-properties follows below:</p> <p>5.1. Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd operates a 20MW solar PV facility on the Remaining Extent of Portion 1 of Farm 104, Vogelstruisbult;</p> <p>5.2. Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd operates a 75MW solar PV facility on Farm Hoekplaas 146; and</p> <p>5.2. Mulilo Prieska PV (RF) (Pty) Ltd operates a 75MW solar PV facility on Remainder Portion 4 of Farm 117, Klipgatspan</p>	<p>These operational Mulilo activities were identified in the BAR. Please refer to the maps in Appendix B.</p> <p>It is noted that the operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.4 km from the nearest boundary of the prospecting right area.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>6. There are also several prospective (authorised but as yet not constructed) solar PV facilities on the subject-properties and adjacent Farm 104, Vogelstruisbult, the details of which are as follows:"</p>	<p>These prospective Mulilo solar PV facilities, as well as others, were identified in the BAR. Please refer to the maps in Appendix B.</p> <p>It is noted that the nearest prospective solar PV facility (Struisbult PV 2) to the proposed prospecting right area is approximately 4.7 km from the nearest boundary of the prospecting right area.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>6.1. Struisbult PV2 (Pty) Ltd-100MW solar energy facility on Remainder Portion 1 of the Farm Vogelstruisbult No 104 - DEA REF:12/12/20/2502. An environmental authorisation was granted for this solar PV facility on 2 January 2013, and the validity thereof subsequently extended to 2 January 2021."</p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>6.2. Hoekplaas Solar PV2 (Pty) Ltd - 75 MW solar energy facility on the Farm 146, Hoekplaas (DEA REF:14/12/16/3/3/2/493). An environmental authorisation was granted for this solar PV facility on 27 October 2015, and the validity thereof subsequently extended to 2020."</p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>6.3. Hoekplaas Solar PV3 (Pty) Ltd 75 MW solar energy facility on the Farm 146, Hoekplaas (DEA REF:14/12/16/3/3/2/494). An environmental authorisation was granted for this solar PV facility on 27 October 2015 and remains valid for 5 years (i.e. 27 October 2020)."</p>	

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>6.4. Hoekplaas Solar PV Four 4 (Pty) Ltd 75 MW solar energy facility on the Farm 146, Hoekplaas (DEA REF:14/12/16/3/3/2/495). An environmental authorisation was granted for this solar PV facility on 9 July 2014, and the validity thereof subsequently extended to 9 July 2020..</p>	
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>6.5. Klipgats PV3 (Pty) Ltd 75 MW solar energy facility on Remainder Portion 4 of the Farm 117, Klipgatspan (DEA REF:14/12/16/3/3/2/487). An environmental authorisation was granted for this solar PV facility on 8 August 2014, and the validity thereof extended to 8 August 2020.</p>	
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>6.6. Klipgats PV7 (Pty) Ltd 75 MW solar energy facility on Remainder Portion 4 of the Farm 117, Klipgatspan (DEA REF: 14/12/16/3/3/2/491). An environmental authorisation was granted for this solar PV facility on 8 August 2014, and the validity thereof extended to 8 August 2020.8 Collectively, all of the aforementioned companies (including the entities referred to in paragraph 1 of these comments) are referred to in these comments as "Mullilo", unless the context indicates otherwise.</p>	
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>7. The most significant deficiencies in the DBAR are outlined below.</p>	<p>Responses have been provided below for each of the specific comments submitted.</p>

<p>Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>			<p>B. Inadequate identification and consideration of reasonable and feasible alternatives</p>	<p>Responses have been provided below for each of the specific comments submitted.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>8. Section 24(4)(b)(i) of NEMA requires that an EIA must include an "investigation of the potential consequences or impacts of the alternatives to the activity". It is our view that ABS Africa has failed to give effect to this provision in that it has failed to consider alternative locations for the proposed prospecting activities and has failed to provide any information regarding the proposed layout of, in particular, invasive prospecting activities.</p>	<p>Section 24(4)(b) of NEMA requires, among others, the "investigation of the potential consequences or impacts of the alternatives to the activity" and others, <u>where applicable</u> (our emphasis).</p> <p>In this instance, a location alternative is not applicable as the application area is defined by, among others, the geology and the availability of mineral rights. This is explained in Section 13 of the BAR where the DMR prescribed format for a BAR makes provision for the EAP to submit a motivation for not considering alternative sites.</p> <p>Whether any invasive prospecting activities proceed and if so, where, is a decision which can only be reached after the non-invasive prospecting phase has been completed. This is explained throughout the BAR. Notwithstanding this, the BAR has identified sensitive environmental and heritage features across the proposed prospecting right area and assigned buffers so as to avoid impacting on these areas.</p>		

<p>Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>9. The invasive prospecting activities in question include: diamond-core drilling and trenching; development of associated access tracks; establishing temporary stockpiles; development of system of three High-Density Polyethylene (HDPE) Lined settling ponds for water used in the drilling process.</p>	<p>Furthermore, the EMPr requires that an ecological and heritage survey be done at each drilling site prior to drilling commencing to ensure that no sensitive environmental and/or heritage feature is impacted upon.</p>
<p>Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>10. With regards to the preferred alternative, ABS Africa notes that: <i>"The properties included in the prospecting right application represent the cadastral units relating to the geological formation of interest, namely a portion of the Areachap Group. The proposed location of the prospecting activities on each property is similarly determined by the location of the resource on that property.</i> <i>The location of the invasive prospecting activities (drilling and trenching) will be informed by the information obtained through the non-invasive prospecting activities, particularly the TDEM survey data. The invasive prospecting activities will avoid the areas identified in the environmental sensitivity map."</i></p>	<p>This is correct. It is noted that the application is for 10 drilling sites, which will have a total estimated surface disturbance area of approximately 0,29 ha.</p>
				<p>No response necessary.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>11. ABS Africa has consequently only considered one alternative in terms of location of the proposed prospecting activities, as well as one technology alternative for invasive prospecting (diamond-core drilling). The supported motivation for this approach is that prospecting area comprises the properties overlaying the Areachap Group, which potentially contains minerals of interest to the Applicant. The Areachap Group is represented in blue on the geological map contained in the DBAR.13</p>	<p>Please refer to the comment above with respect to the location alternative.</p> <p>Diamond-core drilling has been proposed as the only technology because it is proven and because it creates no dust. Percussion drilling has not been considered as this type of drilling does result in dust.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>12. What is apparent from the geological map is that there appear to be several areas comprising the Areachap Group clustered towards a small central portion of the proposed prospecting area, and other areas further to the north of the proposed prospecting area under consideration. The proposed prospecting area therefore does not appear to accord entirely with the areas identified as comprising the Areachap Group. ABS Africa has consequently failed to explain why the subject-properties in question are the only properties on which prospecting activities may occur, when it appears that the geological formation of interest is distributed more broadly, and the prospecting activities could potentially be conducted further away from Mulilo's solar PV operations.</p>	<p>Although the Areachap Group extends to areas outside of the proposed prospecting right area, the applicant does not at present have access to the mineral rights in these areas. The BAR explains that the prospecting right area has been selected based on the current understanding of the geology in that area and that the application forms part of a regional mineral exploration strategy. The DMR can only accept an application for mineral rights over a property if those rights are not already allocated.</p> <p>The nearest Mulilo operating and prospective solar PV facilities are more than 4 km from the nearest boundary of the proposed prospecting right area. It is highly unlikely that the drilling sites will all be concentrated at this position.</p> <p>Notwithstanding this, at this distance, there will be no dust impact to Mulilo from the proposed prospecting activities.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>13. ABS Africa seeks to justify the above approach on the basis that the location of invasive prospecting activities will be informed by the non-invasive assessments undertaken first. However, in the absence of layout alternatives, we are simply unable to meaningfully comment on the extent of the impact of prospecting activities on Mulilo's operations. Furthermore, the Department of Mineral Resources ("DMR") (as Competent Authority in respect of the application under consideration) simply does not have sufficient information regarding such layout to render an informed decision, taking into account the potential impacts on Mulilo's solar PV facilities.</p>	<p>Exploration drilling is expensive and must be focussed in areas where a mineral resource target has been confirmed through a survey. The BAR explains that a drill plan layout is only possible after the non-invasive prospecting phase has been completed.</p> <p>It is important to consider the low impact intensity, scale and short duration of the activity. The application is for 10 drilling sites, which, inclusive of access tracks, will have a total estimated surface disturbance area of approximately 0.29 ha. The drilling activities will furthermore take place at a distance of more than 4 km from the Mulilo operating and prospective facilities. Furthermore, a drilling technology has been selected which does not generate dust.</p> <p>Sensitive heritage and ecological areas have been identified and excluded from invasive prospecting. Furthermore, the EMPr requires that an ecological and heritage survey be done at each drilling site prior to drilling commencing to ensure that no sensitive environmental and/or heritage feature is impacted upon.</p> <p>Given this, it is concluded that sufficient information on the potential impacts of the proposed invasive prospecting activities has been provided in the BAR for consideration by Mulilo and for decision-making by the DMR.</p>
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<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>14. The Department of Environmental Affairs' ("DEA") <i>Guideline on Alternatives</i> provides that: "<i>Due consideration of alternatives ensures that the EIA is not reduced to defence of a single project proposal that is the desire of the proponent</i>" and further that "<i>decision-makers should be provided with adequate information to enable them to determine the most acceptable alternative by making trade-offs between biophysical, social, economic, historical, cultural and political factors.</i>"¹⁴ For the above reasons, we are of the view that insufficient information regarding alternatives has been provided to enable DMR to determine the most acceptable alternative, and that the application in its current form <u>is</u> the defence of a single project proposal desired by Orion.</p>	<p>Adequate information on alternatives, within the context of the proposed activity, has been presented in the BAR and is deemed adequate for decision-making.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>15. A comprehensive indication (and a proper assessment) of location alternatives is required in the circumstances.</p>	<p>Location alternatives are not possible in this instance as the location of the activity is determined by geology and access to available mineral rights.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>16. Insofar as an assessment of the no-go option is concerned, ABS Africa notes as follows: <i>"Should the feasibility study undertaken as part of the prospecting activities show economically beneficial outcomes in terms of extraction of the resources, a mine right (sic) application is likely to be undertaken. In turn mining will contribute positively to the local and regional</i></p>	<p>No response necessary.</p>

			<p><i>socio-economic environment. This includes procurement of local goods and services, employment opportunities for local communities as well as other South African citizens, income generation, skills development and education opportunities, local economic development, GDP improvement and the distribution of revenue and wealth. These benefits cannot however be realised if the prospecting is not implemented.</i>⁴⁵</p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>17. The no-go option has therefore only been assessed in relation to the loss of potentially positive socio-economic impacts that would result should prospecting (and ultimately mining) not be conducted. A consideration of the no-go option fails to take into account the existing socio-economic and other benefits (including those detailed in the above DBAR extract) that are already accruing as a result of the existing operational solar PV facilities, and which may be lost should the financial viability of Mulilo's operations be compromised. The impacts associated with the no-go option have therefore not been properly assessed.</p>	<p>The no-go option has not considered the socio-economic and other benefits of the operational solar PV facilities as the proposed prospecting activities, situated some 4 km from the nearest operating solar PV facility, have not been assessed to have any impact on these facilities.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>(C) INADEQUATE ASSESSMENT OF IMPACTS ASSOCIATED WITH PROPOSED PROSPECTING ACTIVITIES ON THE SUBJECT-PROPERTIES</p>	<p>Responses have been provided below for each of the specific comments submitted.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>18. Section 24(4)(a)(iv) of NEMA requires that <i>“procedures for the investigation, assessment and communication of the potential consequences or impacts of activities on the environment must ensure, with respect to every application for an environmental authorisation, that investigation of the potential consequences for or impacts on the environment of the activity and assessment of the significance of those potential consequences or impacts”</i> and, in terms of section 24(4)(b), must <i>“include the option of not implementing the activity”</i> Furthermore, Appendix 1 3(1)(h) requires the assessment of <i>“the impacts and risks identified for each alternative”</i> and <i>“the positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected.”</i> Appendix 1 3(1)(i) further requires (in line with NEMA) an <i>“assessment of each identified potentially significant impact and risk”</i> (our emphasis).</p>	<p>It is important to note that the list of requirements in Section 24(4)(b) of NEMA is preceded by the words, <i>where applicable</i> (our emphasis). Notwithstanding this, the BAR complies with the requirements of Section 24 of NEMA and the EIA Regulations, 2014 (as amended).</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>19. For the following reasons, we are of the view that the impact assessment conducted by ABS Africa does not fulfil the abovementioned statutory requirements. In particular, certain impacts have not been identified, and accordingly, suitable mitigation measures for such impacts have not been put in place.</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV</p>	<p>Via email and attached</p>	<p>a. General 20. The first significant issue with the DBAR and the assessment undertaken by ABS Africa is that it appears that all baseline information regarding the receiving</p>	<p>The EAP has conducted a site visit. For the nature, scale and duration of the proposed prospecting activities, a desktop summary of the</p>

<p>Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p>environment, and accordingly all information assessed as part of the EIA, was obtained from a desktop review of available information. It does not appear that any ground-truthing of that information, or a comprehensive onsite assessment of prevailing environmental factors, took place. In this regard, the DBAR notes as follows:</p> <p><i>"A desktop review of available information on the baseline environment has been undertaken. A summary of this review is presented below.</i></p> <p><i>The baseline information on the environment has been collated from various sources including the several environmental impact assessment studies undertaken to inform the renewable energy developments.</i></p> <p><i>The baseline has further been informed through specialist input from other applications undertaken by Orion on nearby properties."</i></p> <p><i>"The specialist studies compiled as part of the EIAs for the several renewable energy developments proposed within the prospecting right area have been considered in the BAR".</i></p>	<p>baseline environment is considered to be adequate. The Draft DEA Mining Guideline (2018) supports this: <i>At a minimum, the biophysical environmental data should be based on information in the public domain. Dependent on the complexity and degree of disturbance of the site, this generalised information may prove adequate for some small-scale, short-lived or low-impact prospecting or mining operations.</i></p> <p>Given the significant extent of the prospecting rights area and the intention to temporarily disturb approximately 0.29 ha as part of the prospecting activities, it is impractical and unreasonable to subject the entire proposed area to a detailed specialist study.</p> <p>Sensitive heritage and ecological areas have been identified and excluded from invasive prospecting. Furthermore, the EMPr requires that an ecological and heritage survey be done at each drilling site prior to drilling commencing to ensure that no sensitive environmental and/or heritage feature is impacted upon.</p> <p>Given this, it is concluded that sufficient and adequate information on the baseline environment has been provided in the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>21. It is critical to note that the EIAs referred to above, which ABS Africa alleges to have consulted in an effort to assess the environmental attributes associated with the proposed development footprint, are not assessments in</p>	<p>The EAP has conducted a site visit.</p> <p>ABS Africa did not consult any EIAs for renewable energy developments over the proposed</p>

<p>Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>respect of the subject-properties. Rather, the EIAs assess the environmental attributes of other properties in the Copperton area. While ABS Africa might have relied on a report compiled by Aurecon for the Proposed 75 MW PV8 photovoltaic energy plants on the farm Hoekplaas near Copperton, Northern Cape in respect of its application for a prospecting right over the farms Hoekplas, Klipgatspan, Kaffirs Kolk and Hermansrus, that application is entirely distinguishable from the application under consideration. This is because the prospecting activities in the former application are proposed on the same properties as the solar PV facilities in respect of which the Aurecon EIA report was compiled. There are no proposed or operational solar PV facilities on the subject-properties, and consequently no EIAs which ABS Africa could have relied upon as part of this EIA.</p>	<p>prospecting right area. This has been corrected in the BAR.</p> <p>The EIAs relied upon were from proposed developments in surrounding areas including studies concluded for proposed mining near Copperton. Although site-specific differences exist, especially in areas identified as a CBA or ESA, the biogeographical characteristics of the area are relatively uniform across the broader region.</p> <p>As noted above, the desktop assessment of available information on the baseline environment is considered to be adequate given the nature, extent and duration of the proposed prospecting activities.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>22. In the circumstances, not only has there been no onsite assessment of the environmental attributes of the subject-properties, but reliance in this regard has been placed on EIA reports which did not in fact assess attributes of the subject-properties, but rather, assessed other properties in the surrounding areas. On this basis alone, the assessment of environmental attributes and impacts is fundamentally inadequate. Reliance on desktop information and previous EIA assessments in respect of Orions activities on nearby properties (or those undertaken by third parties, for other EIAs) has contributed to a superficial assessment of environmental</p>	<p>The EAP has conducted a site visit.</p> <p>In addition to the information from EIAs compiled for developments in the surrounding area, the baseline description includes the findings from a desktop heritage specialist study specifically focussed on the prospecting right area. Sensitive ecological areas within the prospecting right area, including spatially designated CBAs and ESAs, watercourses and pans have also been identified in the baseline assessment and these areas have been excluded from invasive prospecting activities.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>			<p>The summary description of the baseline environment in the BAR is consistent with the Draft DEA Mining Guideline (2018) and is considered adequate to inform the basic assessment for a prospecting activity which is anticipated to have a total disturbance area of approximately 0.29 ha.</p> <p>Should the applicant proceed to lodge a mining right application, extensive specialist studies will be undertaken at that time to inform the application.</p>
	<p>Via email and attached letter on 22 January 2019</p>	<p>23. Without a proper assessment and description of the site-specific environmental attributes associated with the proposed prospecting activities, which we are of the view requires onsite assessment, compliance with Appendix 1 (3)(1)(h)(iii) of the EIA Regulations, 2014 will not be achieved. The basic assessment process is consequently fundamentally flawed. This flaw will be fatal to the legality of the assessment process unless corrected before any decision on the merits of the application can lawfully be made by the competent authority.</p>	<p>The EAP has conducted a site visit.</p> <p>Rather than a fatal flaw, the approach is considered to be consistent with the requirements of the legislation, guideline documents (as noted above) and the general approach to conducting environmental impact assessments in South Africa. In terms of the latter, the EIA Regulations, 2014 (as amended) specifically distinguish between activities which, may have a less significant detrimental impact to the environment and must be subjected to a basic assessment, and those which may have a more significant impact on the environment and therefore require a detailed scoping and environmental impact reporting process. Prospecting activities are required to be subjected to a basic assessment process. More intensive environmental studies, including on-site assessment are required for mining activities.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>Notwithstanding this, the EMPr specifically requires an on-site assessment of the proposed invasive prospecting areas prior to the activities commencing to ensure that sensitive heritage or ecological resources are avoided.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>24. There are also inconsistencies in the information provided by ABS Africa, which inhibit a proper assessment of the impacts of proposed prospecting activities:</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>24.1. Under "<i>Invasive Prospecting Methods an initial 15 holes are planned to a depth of 400m</i>". The DBAR then notes that "<i>for an orebody of 10 million tons, assuming a strike extent of 1 km and a dip extent of 800 m, 30 to 40 diamond-core boreholes will need to be drilled to a depth of approximately 800 m</i>. It is unclear from this information exactly how many boreholes are planned, and to what depth they will be sunk if the necessary approvals are obtained.</p>	<p>The invasive prospecting comprises of a planned 10 holes only, to a depth of 400 m. This has been corrected in the BAR. Note that this does not constitute new information but rather the correction of an error which has no influence on the impact assessment or recommended mitigation measures.</p> <p>The 30 to 40 diamond core holes is an indication of the number of holes needed in relation to the size of an orebody.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>		<p>24.2. The DBAR also records that diamond drilling is a hydraulic assisted method that produces no dust. It then almost immediately records another advantage is that diamond drilling produces less noise pollution and little or no dust. These descriptions are inconsistent and suggest that at least some dust will result due to diamond core drilling. This is confirmed on page 46 of the DBAR. No mitigation</p>	<p>Diamond-core drilling does not generate any dust. The text in this regard has been corrected in the BAR. Note that this does not constitute new information but rather the correction of an error which has no influence on the impact assessment or recommended mitigation measures.</p>

Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			measures have been proposed in respect of this impact; only in respect of dust that results from the construction of access tracks to drill sites.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		In section 2 of the DBAR, the project area is described as being 15 973 hectares. This is significantly more than the area of 7375m ² described in section 3.2 of the DBAR. It is therefore unclear as to how large the area proposed for prospecting in fact is.	<p>The extent of the total area under application (prospecting right area) is approximately 15 973 ha.</p> <p>The total surface disturbance area potentially affected by the invasive prospecting activities (drilling, access tracks, trenching) was, based on 15 boreholes, estimated to be approximately 7375 m². With 10 boreholes planned, the total surface disturbance area is estimated to be approximately 2900 m².</p> <p>This has been corrected in the BAR.</p>
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		Finally, it must always be recalled that although this application relates only to prospecting, if quality minerals are found, it may lead to mining of the resource and the associated benefits thereof.	<p>It is important that the current application be considered in terms of prospecting only as this is the only activity for which an application has been submitted.</p> <p>If minerals of economic importance are discovered, an application for a mining right will need to be submitted by the applicant and this application will need to be informed by a comprehensive scoping and environmental impact reporting process focussed on the risks and impacts of mining.</p>
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo	Via email and attached		b. Ecological Impacts	The report was included in the Prieska Zinc Copper Project Environmental Impact Report, to which Mulilo was given access as part of the

<p>Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p>26. The information in this section appears to have been obtained largely from an Ecorex report dated 2017. This report was not, however, not appended to the DBAR. This is a significant oversight on the part of ABS Africa, as the exclusion thereof has deprived Muliilo of the opportunity to engage with and comment on its findings.</p>	<p>public participation process for that mining right application.</p> <p>The specialist report was not included in the DBAR because it was compiled for a different applicant, concerning a different property and for a different proposed development activity near Copperton. Only relevant baseline information from the report, applicable at a regional scale, was referenced in the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>27. The DBAR also records "a study undertaken by Gaigher (2018) on the surrounding portions of the farm Hedley Plains A indicated that the area surveyed, mostly consist of low growing shrubs and isolated Witgat Trees". However, this report is principally a Heritage Impact Assessment Report , and its findings are limited to Farm Hedley Plains A.</p>	<p>The study is relevant as there are portions of the Farm Hedley Plains A which are included within and others which surround the proposed prospecting right area.</p>
<p>Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>28. In relation to the fauna and avifauna found on the subject-properties, and in the absence of having conducted a proper onsite investigation in this regard, the DBAR only goes as far as to note the species which are likely to occur within the general vicinity of the study area, are likely to be recorded on adjacent farms and well as within the broader region of the proposed prospecting sites (emphasis added). There is no information regarding any listed plant and animal species, or particular species of concern that will need to be protected during prospecting activities. This information is completely inadequate and speculative at best, and falls far short of the assessment of environmental attributes contemplated in Appendix 1 (3)(h)(iv) of the EIA Regulations, 2014.</p>	<p>As per earlier responses, the description of the baseline environmental attributes is deemed to comply with the legislation and is adequate to inform the assessment of risks and impacts associated with the proposed prospecting activities.</p> <p>Species of concern are specially dealt with in the BAR through the recognition of the spatially designated CBA and ESA areas within the prospecting rights area. These are typically habitats for listed plant and animal species and invasive prospecting has been excluded from these areas. Furthermore, the EMPPr requires a</p>

<p>Nicholas Smith Attorneys on behalf of Muililo Prieska PV (RF) (Pty) Ltd; Muililo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muililo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>specialist to survey each of the proposed drilling site locations to ensure that impacts to sensitive plant and animal species are avoided.</p>
<p>Nicholas Smith Attorneys on behalf of Muililo Prieska PV (RF) (Pty) Ltd; Muililo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muililo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>29. The report notes, in relation to birds that "twenty-three species are listed by Barnes (1998) as being endemic to the Namib-Karoo biome i.e. not occurring outside of the biome, of which 15 species (65%) have been recorded within the general vicinity of the study area during the current Southern African Bird Atlas Project (SABAP2) (Ecorex, 342017) This information appears to be incorrect. According to Jenkins and du Plessis (2013): The area potentially supports over 200 bird species, including up to 18 red-listed species, 68 endemics, and five red-listed endemics." (emphasis added).</p>	<p>30. In relation to the above information, ABS Africa has attempted to identify the impacts to terrestrial ecology as being the following (and rated as being of high negative significance):</p>	<p>It is possible that the study area considered by Ecorex (2017) is different to the study area assessed by Jenkins and Du Plessis (2013). The apparent discrepancy is in any event of no material consequence to any part of the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Muililo Prieska PV (RF) (Pty) Ltd; Muililo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muililo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>30.1. Loss of natural habitat;</p>	<p>30.2. Loss of faunal habitat; and</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Muililo Prieska PV (RF) (Pty) Ltd; Muililo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muililo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>No response necessary.</p>	<p>No response necessary.</p>
<p>Nicholas Smith Attorneys on behalf of Muililo Prieska PV</p>	<p>Via email and attached</p>	<p>No response necessary.</p>	<p>No response necessary.</p>

(RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		letter on 22 January 2019		
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	30.3. Loss of medicinal / conservation (important plant species)	No response necessary.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	31. The mitigation measures proposed therefore include:	No response necessary.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	31.1. Limit vegetation clearing to drilling site areas and access.	No response necessary.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	31.2. Monitoring of man and machinery movement and prevention of access to areas outside of the drilling area.	No response necessary.

Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd	letter on 22 January 2019		
Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	31.3 The site speed limit should be set at a maximum of 40 kph for all vehicles.	No response necessary.
Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	31.4 No hunting or open fires are to be permitted.	No response necessary.
Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	31.5 All noise generating activities are to be within legal noise limits	No response necessary.
Nicholas Smith Attorneys on behalf of Muliilo Prieska PV (RF) (Pty) Ltd; Muliilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Muliilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	31.6 Establishment of an appropriate safety barrier to prevent unauthorised man/animal access to the drilling area.	No response necessary.

Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	letter on 22 January 2019			
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		31.7. The natural vegetation will be disturbed to a minimum.	No response necessary.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		32. It is unclear how ABS Africa has rated the impacts in the absence of clearly determining what such impacts are, and which species in fact stand to bear the burden of those impacts. In our view the above findings are very generic and superficial. In the absence of a proper assessment of the ecological attributes of the subject-properties, ABS Africa has not been able to conduct a comprehensive assessment of the potential impacts. The mitigation measures proposed are therefore broad and general, and will in all reasonable likelihood do little to address the site-specific impacts which may be experienced.	The impact assessment methodology and the full impact matrix for each identified impact is provided in the BAR. As per earlier responses, the description of the ecological attributes is deemed to comply with the legislation and is adequate to inform the assessment of risks and impacts associated with the proposed prospecting activities. Mitigation measures for impacts to biodiversity are specially dealt with in the BAR. These include avoidance of CBA and ESA areas and the requirement for a specialist to survey each of the proposed drilling site locations to ensure that impacts to sensitive plant and animal species are avoided.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo	Via email and attached		In our view, a proper assessment of the environmental attributes of the subject-properties (and consequent impacts which may arise), which includes the appropriate onsite	As per earlier responses, the description of the environmental attributes is deemed to comply with the legislation and is adequate to inform the

Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	letter on 22 January 2019	monitoring, must be conducted by ABS Africa. In the absence of this information, the environmental assessment process is fatally flawed, and the DMR is simply not in a position to make an informed (and therefore lawful) decision regarding the environmental authorisation sought.	assessment of risks and impacts associated with the proposed prospecting activities.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	<p>c. Heritage and Palaeontological Impacts</p> <p>34. The primary concern with the findings contained in the Heritage Impact Assessment compiled by HCAC Heritage Consultants, dated November 2018, and the Palaeontological Study prepared by Prof. Marion Bamford, also dated November 2018, is that both studies comprise desktop reviews of existing information and reports, rather than site-specific assessments informed by onsite inspections. We are therefore of the view that Appendix 1 (3)(1)(i) of the EIA Regulations, which requires a description of all environmental issues and risks identified during the environmental assessment, has not been properly complied with by the environmental assessors responsible for the basic assessment process.</p>	<p>Given the significant extent (more than 15 000 ha) of the prospecting rights area and the intention to temporarily disturb approximately 0.29 ha as part of the prospecting activities, it is impractical to subject the entire proposed area to a detailed specialist study.</p> <p>Sensitive heritage areas have been identified and excluded from invasive prospecting. Furthermore, the EMPPr requires that a heritage survey be done at each drilling site prior to drilling commencing to ensure that no sensitive heritage feature is impacted upon.</p> <p>Given this, it is concluded that BAR has provided a reasonable and adequate description of all environmental issues and risks associated with the proposed prospecting activities.</p>
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	35. The findings in relation to heritage and palaeontological impacts have purportedly been informed by "several heritage studies conducted in the greater study area. However, although the current area under investigation does not seem to have been covered by heritage surveys the wealth of recorded sites to the south and southwest of the area (Figure 8-2) indicates that a similar high frequency of sites can be expected in the study area" (emphasis added). It therefore	Please refer to the comment above with respect to the impracticality of undertaking a specialist site survey over such an extensive area when only 0.29 ha is planned to be disturbed. The approach is thus that once a need for drilling has been confirmed (target mineral resource identified though the non-invasive prospecting surveys) and the corresponding drilling locations have been

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>appears that not only has an onsite assessment of heritage and palaeontological attributes and impacts not been conducted, but that the information relied on by ABS Africa to inform their assessment does not directly pertain to the subject-properties. In our view, the desktop analysis is wholly inadequate.</p>	<p>confirmed, a heritage specialist will inspect each drilling location to ensure that no significant heritage resources are associated with the site. This is included in the EMPr.</p> <p>The desktop study was undertaken by a qualified archaeologist and palaeontologist. The approach to the study was also discussed with SAHRA prior to the study commencing.</p>
	<p>Via email and attached letter on 22 January 2019</p>	<p>36. ABS Africa argues that onsite investigations were not conducted due to the size of the subject area (19 727ha), and the fact that “no intrusive activities will occur at this point of the application”.</p> <p>Firstly, this figure is incorrect, and is clearly taken directly from the Basic Assessment Report prepared in respect of the prospecting right application for Klipgatspan, Humansrus, Kaffirs Kolk.</p> <p>Secondly, given that the impact of disturbance / loss to archaeological and paleontological resources is considered to be medium to high, this approach is not defensible and does not constitute environmental best practice.</p> <p>Thirdly, given that the application is for both invasive and non-invasive prospecting, the latter part of the statement is entirely misleading.</p>	<p>The error has been corrected.</p> <p>The approach is specifically aimed at avoiding impacts to heritage resources. Avoidance of impacts is a main tenant of environmental best practice. Once the drilling locations have been confirmed, a heritage specialist will inspect each drilling location to ensure that no significant heritage resources are associated with the site. This is included in the EMPr.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>37. In this regard, HCAC concludes, regarding heritage and palaeontological impacts, that invasive exploration activities could cause irreversible damage or destroy heritage resources and depletion of the archaeological record of the area. (Our emphasis.) This impact is recorded as being of low to medium extent on a local scale. In terms of the significance of the impact, the DBAR notes that of sites, mitigation and significance of possible impact can only be determined after a field survey has been conducted but based on previous work in the area Stone Age finds and graves can be expected. The earlier summary at page 47 of the DBAR (to the effect that the heritage impacts are of medium to high significance) is inconsistent with HCAC findings. This should be explained by ABS Africa.</p>	<p>The Final BAR has been corrected to reflect the impact assessment rating as determined by the specialist.</p> <p>The approach to the study was also discussed with the competent authority for heritage aspects (SAHRA) prior to the study commencing and SAHRA has indicated that they are satisfied with the study. Please refer to the letter from SAHRA included in Appendix C of the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>HCAC further recommends "that prior to invasive prospecting, impact areas should be subject to a field study to confirm the presence of heritage resources after which mitigation measures will be recommended (if needed). (Our emphasis.) This study should have been completed as part of the basic assessment process and in order to inform the layout of prospecting activities, and not ex post facto the issuance of an environmental authorisation.</p>	<p>Please refer to the comment above with respect to the impracticality of undertaking a specialist site survey over such an extensive area when only 0.29 ha is planned to be disturbed. The desktop study was undertaken by a qualified archaeologist and palaeontologist.</p> <p>The approach to the study was also discussed with the competent authority for heritage aspects (SAHRA) prior to the study commencing and SAHRA has indicated that they are satisfied with the study. Please refer to the letter from SAHRA included in Appendix C of the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV</p>	<p>Via email and attached</p>	<p>39. It is irrational, and contrary to the principles of integrated environmental management, to purport to assess impacts which ought to form part of the basic assessment, and which are fundamental to informing the layout of prospecting</p>	<p>The impacts have been assessed as part of the application process. The purpose of the post-authorisation specialist survey of the invasive prospecting areas is to ensure that there is a</p>

Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		letter on 22 January 2019	activities, only after the application process has been completed.	management control for avoiding sensitive heritage resources.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>d. Air Quality Impacts</p> <p>40. The DBAR notes that invasive prospecting, including the preparation of access tracks and drilling areas; drilling and trenching, will result in increased dustfall (PM10 and PM2.5 Levels). These impacts are assessed as having a medium to high impact, with the recommended mitigation measures being to control dust emissions through design and operational controls. It must be noted that the mitigation measures proposed are only in respect of the impacts from preparation of access tracks, and not those associated with drilling. The relevant mitigation measures are described in the EMPr, Part B to the DBAR, as being:</p>	Diamond-core drilling does not generate any dust during the drilling process. It is specifically for this reason that this drilling technology is being proposed.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	<p>40.1. Limiting vehicle speed to 40km/h on gravel roads within 1 km of any solar PV plant, and to 60km/h within 2 to 4 km of such plants;</p>	No response necessary.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and		Via email and attached letter on 22 January 2019	<p>40.2. Vehicles transporting material due to Orion's activities which have the potential of becoming airborne will either be appropriately covered or if that is not practical, they will be sprayed with water, at a frequency as necessary to ensure dust generation is minimised within the 4km radius;</p>	No response necessary.

Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			Via email and attached letter on 22 January 2019	40.3. The R357 regional road from Prieska must be avoided, because prior experience during construction of the Solar Projects showed that this portion of road results in significant dust emissions and soiling of the existing 75MW solar PV facilities. Should this section be required, speed must be limited to 40km/h, alternatively Orion must apply to the Department of Public Works for the road to be paved. There is no reference regarding where ABS Africa obtained this information. In any event, paving of the road does not appear to be a realistic solution;	This mitigation measure was adopted from the method statement for dust mitigation, compiled by Mulilo for implementation by Orion Minerals Ltd. subsidiaries as part of an agreement between the two parties.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			Via email and attached letter on 22 January 2019	40.4. Stockpiled sand must be covered, and stockpiles must not exceed 2 metres in height;	No response necessary.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			Via email and attached letter on 22 January 2019	40.5. Wind breaks or demarcation with wind protective covers will be considered if dust generation is a continuous issue; and	No response necessary.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo			Via email and attached	40.6. Cement must be stored in weather proof containers.	No response necessary.

Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	letter on 22 January 2019			
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	41. There are several fundamental deficiencies with the assessment of air quality impacts, and the mitigation measures proposed:	Responses are provided to each specific comment below.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	41.1. Save for "Other land uses in close proximity to the prospecting area" and the above references to mitigation measures, no mention at all is made of Mulilo's operational and prospective solar PV facilities on Farm 104, Vogelstruisbult, as well as Farm 117, Klipgatspan and Farm 146, Hoekplaas. The DBAR is consequently silent on the impacts associated with the prospecting activities, specifically as a result of increased dustfall, which may affect the aforementioned operations.	Please refer to the map in Appendix B of the BAR which provides the location of identified operating and prospective developments in the area, including the solar PV facilities, in relation to the proposed prospecting right area. The nearest prospective and operating solar PV plants are more than 4 km from the nearest boundary of the proposed prospecting right area. Any dustfall generated by the proposed prospecting activities will settle within hundreds of meters of the dust emission source. At more than 4 km, there will be no dustfall impact to the solar PV facilities as a result of the proposed prospecting activities.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd	Via email and attached	41.1.1. The following is recorded in the DBAR regarding dominant wind conditions in the area under consideration:	No response necessary.	

<p>Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p><i>"Annual average wind direction is dominant from the west and west-west-south; Wind is a characteristic of the region, with calm conditions (wind speed less than 1m/s) only being present for 1.58% of the time. In summer, the predominant wind direction is from the west and west-west- 50south with south-easterly winds also important".</i></p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>41.1.2. Mulilo's solar PV facilities (both operational and proposed on the abovementioned farms lie to the east of the subject-properties. Given the wind conditions described above, coming predominantly from the west, it appears highly likely that dust generated as a result of prospecting activities will be blown. This may be aggravated by the fact that wind is characteristic of the region; more so than calm conditions.</p>	<p>The nearest prospective and operating solar PV plants are more than 4 km from the nearest boundary of the proposed prospecting right area. At this distance, even with a westerly prevailing wind direction, there will be no dustfall impacts to the solar PV facilities from the prospecting activities.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>41.1.3. Without a comprehensive air quality impact assessment having been conducted to determine current and potential PM2.5 and PM10 exceedance and the impact thereof on Mulilo's, solar PV facilities, we are unable to comment on the extent of this impact. An air quality impact assessment must be conducted as part of the basic assessment process and included with the next iteration of the DBAR.</p>	<p>PM2.5 and PM10 refer to the fractions of dust which have a human health impact. PM2.5 and PM10 should not be confused with dustfall and the impact of the latter on the efficiency of solar PV facilities. An air quality impact assessment is not necessary. The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts from the prospecting activities.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV</p>	<p>Via email and attached</p>	<p>41.2. It is also unclear exactly what is meant by the ambiguous reference to the proposal that dust generation is</p>	<p>This mitigation measure was adopted from the method statement for dust mitigation, compiled</p>

(RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		letter on 22 January 2019	minimised within the 4km radius" Does it refer to a buffer around the subject-properties? Or within 4km of the solar PV facilities?	by Mullilo for implementation by Orion Minerals Ltd. subsidiaries as part of an agreement between the parties. It is our understanding that this relates to access tracks only.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	41.3. In terms of proposed mitigation measures, no provision is made for the cleaning (or financing thereof) of solar PV panels on adjacent Farm 104, Vogelstruisbult, as well as Farm 117, Klipgatspan and Farm 146, Hoekplaas in close proximity to the subject-properties as a result of the increased dustfall resulting from prospecting activities.	The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts from the prospecting activities.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	41.4. The DBAR is also entirely silent on the cumulative air quality impacts associated with the proposed prospecting activities, an assessment of which is required by Appendix 1 (3)(1)(i) of the EIA Regulations, 2014. In this regard:	Responses are provided to each specific comment below.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	41.4.1. Bartotrax (Pty) Ltd has been granted an environmental authorisation for prospecting activities on Farm 117, Klipgatspan and Farm 105, Smous Pan. Increased dustfall will already occur as a result of these authorised prospecting activities, which must be considered as part of the current assessment process under consideration.	The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts from the prospecting activities. No cumulative dustfall impact from the drilling is therefore anticipated. Specific mitigation measures have been recommended for managing the impacts from the

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>prospecting activities so that there is no significant detrimental impact to the environment.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>41.4.2. A report was prepared for ABS Africa by Airshed Planning Professionals as part of the EIA process for the Prieska Zinc Copper Mine. This report notes that PM2.5 and PM10 concentrations are likely to exceed current and 2030 National Ambient Air Quality Standards in both the construction and operational phases. This report concludes that: <i>"The proposed Prieska Zinc Copper Mine (PCM) operations are likely to result in ground level PM concentrations which will exceed the daily SA NAAQS at the nearby receptors, specifically the solar PV plant downwind of the two TSFs [tailings storage facilities] even with design mitigation measures in place"</i></p>	<p>The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts from the prospecting activities. No cumulative dustfall impact from the drilling is therefore anticipated.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>41.4.3. Furthermore, this environmental assessment process ought to have taken the findings of the Klipgatspan DBAR into account. Mulilo has also been advised that a further application for a prospecting right over properties in the vicinity of Mulilo's solar PV facilities will shortly be released for public comment. This project has not received attention in the DBAR.</p>	<p>The envisaged prospecting strategy by Orion is to conduct the prospecting in a phased manner with a limited number of drill rigs operating in one prospecting right area at a time. The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts from the prospecting activities. The DBAR for the further prospecting right application is in preparation and I&APs will be provided with an opportunity to review and comment on the DBAR.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>41.4.4. The cumulative impacts of dustfall on Mullilos PV facilities as a result of the above (already authorised) activities cannot be overlooked, and they clearly warrant comprehensive assessment before the DMR can be expected to render a decision on the merits of the application.</p>	<p>The envisaged prospecting strategy by Orion is to conduct the prospecting in a phased manner with a limited number of drill rigs operating in one prospecting right area at a time. The diamond core-drilling does not generate dust and the prospecting right area is more than 4 km from the solar PV facilities. This is too far for any dustfall impacts, including cumulative impacts, from the prospecting activities.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>42. Section 8.1.2 of the DBAR considers the air quality attributes associated with the proposed prospecting activities. This section is a copy and paste from the EIA Report (section 7.1.15 thereof) prepared by ABS Africa Sustainability Advisors for the Prieska Zinc Copper Mine (2018). However, while section 8.1.12 only lists three sources of emissions (excluding emissions from current prospecting activities on adjacent properties), the EIA Report for Prieska Copper Mine lists four, the fourth being activities at Alkantpan.</p> <p>According to the latter EIA Report, a dustfall network comprising of 18 dust buckets was established in September 2017. The EIA Report presents the dustfall rates, which are not included in the DBAR. There is no basis for this exclusion, which fundamentally impedes the ability of I&APs to properly scrutinise the application.</p>	<p>Activities from the Alkantpan Test Range are a source of dust emissions in the local study area. For the reasons previously stated above, this has no influence on the impact assessment, findings and recommendations in the BAR for the proposed prospecting activities.</p> <p>The dustfall network was specifically designed and implemented to establish the pre-mining baseline environment and the results were used to inform the scoping and environmental impact reporting process undertaken for the mining right application for the Prieska Zinc Copper Project.</p> <p>Given that the proposed prospecting activities are on properties several kilometres from the dustfall network, these results could not be regarded as representative of the proposed prospecting area.</p>

				<p>It can however be noted that the dustfall results showed that even during intensive prospecting activities on the areas intended for mining, (within hundreds of metres of the dust buckets), baseline dustfall levels remained consistently within the limits of the dustfall regulations.</p> <p>If a mining right application is lodged over the proposed prospecting right area in the future, a similar dustfall network will be established at that time to establish the pre-mining dustfall levels in that area. This information will be available to I&APs through the scoping and environmental impact reporting process.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>ABS Africa's conclusion that "<i>surrounding land users [are] minimally affected by prospecting activities</i>" therefore cannot be supported, as a proper assessment of all impacts relating to dustfall has not been conducted and included in the DBAR. These issues should be fully traversed in a further draft of the DBAR which must then be circulated for comment to all parties who or which have expressed an interest in the matter in order to ensure procedurally fair decision-making. This is because the relevant responses to these comments will be material in nature and will amount to new information.</p>	<p>A proper assessment of all impacts relating to dustfall has been undertaken for the proposed prospecting activities. Detailed responses have been provided to the comments raised but no new information to that presented in the DBAR has been introduced. Consequently, there is no need for a further draft BAR to be distributed for review.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>e. Socio-economic Impacts</p> <p>44. In relation to socio-economic impacts, the DBAR notes that such impacts include the local procurement of goods and services during the prospecting activities, and all activities involving employment and such procurement. This is deemed to be a direct positive impact of prospecting</p>	<p>The exact number of jobs that will be created during prospecting is unconfirmed. The BAR indicates that the employment potential is limited.</p>

Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			activities limited. The DBAR however fails to specify the number of jobs proposed to be created through prospecting activities.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		45. The DBAR fails to make mention of the existence of the positive socio-economic impacts which are already being experienced as a result of Mulilo's investment in the operational solar PV facilities within the vicinity of the subject-properties (specifically on Farm 117, Klipgatspan, Farm 104 Vogelstruisbult, and Farm 146, Hoekplaas). Similarly, no mention is made of the further socio-economic benefits which would flow should the authorised but as yet unconstructed solar PV facilities be developed.	The socio-economic benefits from the operating and prospective solar PV facilities are not of relevance to the assessment of the proposed prospecting activities. The proposed prospecting is not a competing land use to the solar PV facilities and it will not displace or otherwise negatively impact on these socio-economic benefits.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		46. In fact, the DBAR is entirely silent on the cumulative socio-economic impacts associated with the proposed prospecting activities. The EIA is therefore inadequate, as it has failed to consider existing, positive socio-economic impacts.	Please see the response above.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		f. Impacts on the SKA / MeerKAT project 47. The DBAR notes that operating of drilling equipment and machinery, including communication devices may result in electromagnetic (EM) and radio frequency (RF) interference within the Karoo Central Astronomy Advantage Area declared in terms of the Astronomy Geographic Advantage Act, Act 21 of 2007, and that this may have an impact on the operation of the MeerKAT/SKA Observatory. This impact is assessed to be of <u>high</u> significance, and negative.	No response necessary. The impact significance rating quoted in the comment is the impact before mitigation. The post mitigation impact significance is Low.

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>48. Insufficient information regarding the nature of the potential EM and RF associated with prospecting activities has been provided by ABS Africa to enable us to comment meaningfully on this impact. Furthermore, insufficient information regarding the geographic location of the proposed prospecting area in relation to the protection corridors identified in the <i>Regulations on the Protection of the Karoo Central Astronomy Advantage Areas in terms of the Astronomy Advantage Act, 2007</i>, has been provided to ascertain whether and to what extent those Regulations are applicable.</p>	<p>Several sections of the BAR indicate that the prospecting right area is within the Karoo Central Astronomy Advantage Area. The BAR provides sufficient information on this aspect in that the impact is identified, assessed and mitigation measures have been proposed.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>g. Conclusion regarding assessment of impacts</p> <p>49. The DBAR concludes that no invasive prospecting activities are to take place in any of the areas identified in the environmental sensitivity plan. In light of the deficiencies in the impact assessment process identified above, we are of the view that the Sensitivity Map does not properly identify the areas which must be avoided during invasive prospecting.</p>	<p>Having considered the I&AP comments, the EAP is of the view that there are no deficiencies in the assessment process undertaken. The sensitivity map together with the ecology/heritage surveys required to be undertaken before prospecting proceeds are considered to provide sufficient control for ensuring that the activities will not have a significant detrimental impact to the environment.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>50. In relation to the basic assessment process, ABS Africa concludes that: "<i>based on the findings of the impact assessment, and with the understanding that the mitigation measures will continue to be implemented throughout the prospecting period, the EAP is of the opinion that an environmental authorisation for the prospecting activities may be granted</i>". Given that the findings of the impact assessment are incomplete and do not comply fully with the EIA Regulations, 2014, this statement cannot be supported.</p>	<p>The EAP considers the statement to be valid. The basic assessment is deemed to be complete and consistent with the requirements of the EIA Regulations, 2014 (as amended).</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>(D) INADEQUATE CONSIDERATION OF NEED AND DESIRABILITY</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>51. Need and desirability has been entirely inadequately considered by ABS Africa in the DBAR. The section in question deals largely with the possible presence of desirable minerals on the subject-properties. The sole comment regarding the need for the proposed prospecting activities, is as follows: <i>"In addition to the export market need for minerals like copper, zinc, nickel, cobalt and others, there is a significant need in the Northern Cape for developments which facilitate economic growth and provide employment opportunities at a local and regional scale".</i></p>	<p>The need and desirability discussion in the BAR is adequate for informing an activity that is small-scale, temporary and low-impact.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>52. The analysis of need is superficial and falls far short of the requirements for such an analysis as contained in Appendix 1 (3)(1)(f) of the EIA Regulations, 2014, and as informed by the DEA Guideline on Need and Desirability. It ought also to be noted that ABS Africa has relied on an outdated version of this Guideline, namely the 2012 Information Series version, rather than the more recent 2017 version. Furthermore, ABS Africa has entirely failed objectively to consider the desirability of the proposed prospecting activities, given the existing (and prospective) solar PV facilities located within the development footprint under consideration.</p>	<p>The need analysis in the BAR is adequate for informing an activity that is small-scale, temporary and low-impact.</p> <p>The 2017 version of the guideline has not been gazetted and its status as an official guideline and associated commencement date is thus uncertain. The requirements of this guideline have in any event been complied with.</p> <p>There are no solar PV facilities within the development footprint under consideration for this prospecting right application. The nearest</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>53. "Need" is not the same as "the general purpose of requirements" of an activity. While the latter may relate to the specific requirements, intentions and reasons that the applicant has for proposing the specific activity, the "need" relates to the interests and needs of the broader public. The Guideline on Need and Desirability notes as follows with regards to such an assessment:</p> <p><i>"Considering the merits of a particular application in terms of the need and desirability considerations, it must be decided which alternatives represent the "most practicable environmental option", which in terms of the definition of NEMA and the purpose of the EIA Regulations are that option that provides the most benefit and causes the least damage to the environment as a whole [including physical conditions], at a cost acceptable to society, in the long-term as well as the short-term".</i></p>	<p>solar PV facilities are approximately 4 km from the nearest boundary of the prospecting right area.</p> <p>There is no rationale for discussing the solar PV facilities as part of the desirability of the prospecting activities as the prospecting activities will not compete, displace or otherwise impact on the solar PV facilities.</p> <p>No response necessary.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>54. The need and desirability of a proposed development within a particular context is primarily informed by strategic planning documents, including municipal Integrated Development Plans ("IDP") and Spatial Development Frameworks ("SDF"). ABS Africa has failed to describe how prospecting on the subject-properties will</p>	<p>Section 8.1.15.12 of the BAR indicates that the SLM IDP (2017-2018) identifies mining as a sector with development potential.</p>

Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			serve the objectives of the aforementioned strategic documents, specifically the <i>Pixley Ka Seme SDF</i> and the <i>Siyathemba Local Municipality IDP</i> .	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		55. ABS Africa has failed to have proper regard to the applicable strategic planning documents, noting only the following: <i>"The SLM Spatial Development Framework (SDF) was compiled in 2006 and, according to the SLM IDP (2017-2018), is no longer used for guiding for development planning in the municipality. No development planning guidelines or objectives have therefore been defined for Copperton or the proposed prospecting right area"</i> .	The BAR correctly indicates that the SLM has not developed an SDF for the local municipality or development guidelines for the Copperton area.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		56. The latter statement is not correct, as the Pixley Ka Seme SDF is applicable to the area under consideration, which falls within its jurisdiction.	The statement should be understood in the context of development planning by the SLM. The SLM has not defined any development planning guidelines or objectives for Copperton or the proposed prospecting right area.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019		57. Need for the proposed prospecting operations, and their desirability on the subject-properties, has not been properly considered nor appropriately ventilated during the basic assessment process. Furthermore, the existence of Mulilo's operational and prospective solar PV facilities, and consequently the need and desirability for those facilities and their proper functioning, has not properly been considered by ABS Africa. Only the general purpose and requirements of Orion in relation to the minerals of	The need and desirability analysis in the BAR is adequate for informing an activity that is small-scale, temporary and low-impact. There are no operating or prospective solar PV facilities within the development footprint under consideration for this prospecting right application. The nearest solar PV facilities are

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>interest have been considered. ABS Africa's assessment of the need and desirability is therefore superficial at best, and at worst misleading.</p>	<p>approximately 4 km from the nearest boundary of the prospecting right area.</p> <p>There is no rationale for discussing the solar PV facilities as part of the need and desirability analysis as the prospecting activities will not compete, displace or otherwise impact on the solar PV facilities.</p>
	<p>Via email and attached letter on 22 January 2019</p>	<p>58. Upon a proper consideration of desirability of the proposed prospecting activities, it ought to be apparent that the subject-properties on which prospecting is proposed are not a desirable location. This is because some of the subject-properties are in very close proximity (roughly 2km to 3km) to prospective solar PV facilities. The impacts, particularly an increase in dust, will potentially compromise the functioning of Mulilo's operations (as detailed in the preceding section of these comments). Consequently, it is important that Mulilo's operations be considered as part of an assessment of need and desirability in the study area.</p>	<p>It is noted that the nearest proposed solar PV facility (Struisbult PV 2) and nearest operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.7 km and 4.4 km respectively, from the nearest boundary of the prospecting right area. No dustfall impacts to Mulilo can be expected at these distances.</p> <p>The applicant will also be using diamond core drilling, which does not generate dust. Further, mitigation measures for controlling dust from access tracks and site preparation activities have been proposed in the EMP. The potential impact of dust has thus been dealt with extensively in the BAR.</p> <p>There is no rationale for discussing the solar PV facilities as part of the need and desirability analysis as the prospecting activities will not compete, displace or otherwise impact on the solar PV facilities.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>59. Renewable energy is included in the "Priority List for Siyathemba as identified in the IDP". Neither prospecting nor mining is included in this list. On a broader scale, renewable energy hubs have been identified for the Northern Cape and are detailed in the Pixley Ka Seme SDF. Mulilo's operational and prospective solar PV facilities detailed in paragraphs 5 and 6 above fall within the identified hubs, a map of which is fall within the identified hubs, a map of which is attached hereto as Annexure "B". Renewable energy development is therefore clearly designated as eminently desirable on the subject-properties, while mining is not.</p>	<p>It is important to recognise that this application pertains to prospecting only. Consideration of mining and the impact that mining may have on other land uses in the area falls outside of the scope of the current basic assessment process. A detailed scoping and environmental impact reporting process will need to be followed if mining is to be pursued and a detailed assessment of the impact which the mining may have on surrounding land users will need to be undertaken at that time.</p> <p>Notwithstanding this, the SLM IDP does not state that it does not support prospecting or mining in its municipal area. Neither does the Pixley ka Seme SDF provide such a position.</p> <p>The information available indicates that the Renewable Energy Hub is a proposal in the Pixley ka Seme SDF only and it has not been adopted provincially or locally at this stage.</p> <p>The boundary of the proposed Renewable Energy Hub is understood to be defined as 50 km either side of the Orange River, starting at De Aar and ending at Alexander Bay. A small section of the prospective Struisbuit PV 2 solar PV facility is the only prospective or operating Mulilo solar PV facilities which fall within the 50 km boundary.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo</p>	<p>Via email and attached</p>	<p>60. While mining is identified in the Siyathemba Local Municipality IDP as a sector with development potential, this is limited to semi-precious stones, and building sand</p>	<p>Please refer to the response to comment 59 above.</p>

<p>Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p>and clay. On the other hand, Alternative Energy Development is identified as an "anchor economic activity". This is noted in the Siyathemba Local Municipality IDP. In fact, Mulilo's projects on Farm 117, Klipgatspan, Farm 104, Vogelstruisbult and Farm 146, Hoekplaas, are recognised in the IDP, as is the Local Municipality's intention to promote development of renewable energy, and particularly solar PV facilities, as a means to enhance socio-economic conditions. The following is recorded in the Siyathemba Local Municipality IDP:</p> <p><i>"It is also necessary to note that the Council also declared its municipal area as a Nodal Point for growth to participate and develop in the proposed Solar Park and Secondary Stream Developments to enhance poverty and unemployment reduction".</i></p>	
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>61. Mulilo's Solar PV operations are therefore of strategic importance to the Siyathemba Local Municipality, as well as the broader Pixley Ka Seme District Municipality. Not only are prospecting / mining activities not afforded the same recognition by the relevant policy documents (which ABS Africa has not properly taken into account, as required by Appendix 1 (3)(e)), but they would not be desirable on the subject-properties when objectively considered.</p>	<p>The municipal spatial and development planning documents do not state anywhere that prospecting / mining is not of strategic importance or that it is an undesirable economic activity in the municipality.</p> <p>The relevant municipal spatial and development planning documents have been properly considered to the extent necessary for a prospecting application.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>62. ABS Africa must therefore conduct a proper assessment of the need and desirability of the proposed activities. These issues should be fully traversed in a further draft of the DBAR which must then be circulated for comment to all parties who or which have expressed an interest in the matter in order to ensure procedurally fair decision-making. This is because the relevant responses to these comments will be material in nature and will amount to new information.</p>	<p>The need and desirability analysis in the BAR is adequate for informing an activity that is small-scale, temporary and low-impact.</p> <p>Consideration of mining and the impact that mining may have on other land uses in the area falls outside of the scope of the current basic assessment process. A detailed scoping and environmental impact reporting process will need to be followed if mining is to be pursued and a detailed assessment of the impact which the mining may have on surrounding land users will need to be undertaken at that time.</p> <p>Detailed responses have been provided to the comments raised but no new information to that presented in the DBAR has been introduced. Consequently, there is no need for a further draft BAR to be distributed for review.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>(E) INCOMPLETE COMPLIANCE WITH APPENDIX 1 TO THE EIA REGULATIONS, 2014</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>63. Appendix 1 to the EIA Regulations, 2014 sets out the information which must be contained in a basic assessment report in order for a competent authority to consider and come to a decision on the application. For</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>

Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd			the reasons which follow, ABS Africa has not fully complied with the requirements of Appendix 1.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	64. Appendix 1 (3)(1)(c) stipulates that the DBAR must include "a plan which locates the proposed activity or activities applied for as well as associated structures and infrastructure at an appropriate scale". No such plan has been provided by ABS Africa. The latter notes that: the site layout of the prospecting activities is largely determined by the orebody of interest. The proposed drilling programme will be refined based on the information derived from the non-invasive prospecting activities, including geological mapping and EM surveys. In our view this statement is misleading. Given that no detail as to the layout of intrusive prospecting activities has been provided, we fail to see how there can be suggestion of a revision thereof.	Appendix B of the BAR provides a locality map of the proposed prospecting right area in relation to surrounding land uses. The statement is not misleading. The drilling locations within the broader prospecting right area will be identified through the information obtained from the non-invasive prospecting activities.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	65. Appendix 1 (3)(1)(d) Requires a description of the scope of the proposed activity, including (i) all listed and specified activities triggered and being applied for; and (ii) a description of all the activities to be undertaken, including associated structures and infrastructure " In our view, and based on the information provided in the DBAR, this requirement has not been complied with due to the following:	Responses have been provided below for each of the specific comments submitted in support of this comment.	
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV	Via email and attached	65.1. The development of access tracks may trigger Activity 24 of Listing Notice 1, or Activity 4, Listing Notice 3 (activities concerning the development of	Section 3.2 of the BAR identifies the listed and non-listed activities applicable to the proposed prospecting activities.	

<p>Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p>roads) and this is not mentioned in Table 4-2, nor is sufficient information provided by ABS Africa for us to determine whether in fact either of these activities are triggered on the jurisdictional requirements of the respective activities identified in this paragraph; and</p>	<p>No access tracks will be established to the extent that the thresholds of Activity 24 (LN1) and Activity 4 (LN3) are exceeded.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>65.2. No provision is made in Table 4-2 for the settling ponds described in the EMPr. The Listed Activities triggered by the development of the settling ponds, and consequently the impacts thereof, have not been assessed in the DBAR.</p>	<p>The settling ponds are part of the drilling activity and are included within the 15 m x 15 m surface disturbance area of each drilling site. The ponds have thus been described and the impacts assessed as part of the consideration of the drilling activity.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>65.3. With regards to the clearance of indigenous vegetation, it is unclear why Activity 12 of Listing Notice 3 is identified, and not either Activity 27 of Listing Notice 1 (an area of more than 1 hectare but less than 20 hectares) or Activity 15 of Listing Notice 2 (more than 20 hectares). The Table in Section 3.2 suggests that at least 14 750m² (1.4 hectares) will be cleared for intrusive prospecting operations. This could be more if more than 15 boreholes are drilled (this number too is unclear). More information is needed regarding the extent of the intrusive prospecting activities in order to ascertain whether Activity 12 has been correctly identified.</p>	<p>The information in this table has been misunderstood.</p> <p>The total surface disturbance area from all invasive prospecting activities for 15 holes was reported as 7 375 m². Activity 12 of LN3 and Activity 27 of LN1 are thus not applicable.</p> <p>The BAR has been corrected to reflect that the invasive prospecting activities will comprise of a planned 10 holes only, to a depth of 400 m. Note that this does not constitute new information but rather the correction of an error which has no influence on the impact assessment or recommended mitigation measures.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>66. Appendix 1 (3)(1)(e) of the EIA Regulations, 2014, requires: "a description of the policy and legislative context within which the development is proposed including- (i) an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to this activity and have been considered in the preparation of the report; and (ii) how the proposed activity complies with and responds to the legislation and policy context, plans, guidelines, tools frameworks, and instruments". This requirement has not been met for the following reasons:</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>66.1. Firstly, ABS Africa has not considered all applicable legislation. The EMPr notes that "<i>Stockpiled soil or sand utilised during the drilling operations for borehole establishment ("Stockpiles") will be covered in windy conditions.</i>" The MPRDA defines a "residue stockpile" as "<i>any debris, discard, tailings, slimes, screening, slurry, waste rock, foundry sand, beneficiation plant waste, ash or any other product derived from or incidental to a mining operation [including prospecting] and which is stockpiled, stored or accumulated for potential re-use.</i>" In our view, soil or sand utilised during the drilling process would constitute a "stockpile" for the purpose of the MPRDA. Accordingly, <i>the Regulations regarding the planning and management of residue stockpiles and residue deposits from a prospecting, mining, exploration or production operation</i> would be applicable. ABS Africa</p>	<p>The definition of residue stockpile is specific to mining operations. This application is for a prospecting right.</p> <p>Furthermore, it is evident from the definition that the material included in the definition is material that would not typically be used for rehabilitation. The stockpile material generated during prospecting is topsoil and subsoil, both of which will be used in the rehabilitation of the prospecting area and neither of which are included in the definition of a residue stockpile.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>has neither considered nor described compliance with the aforementioned Regulations.</p> <p>66.2. Secondly, the Public Participation Guideline and Guideline on Need and Desirability relied on by ABS Africa are outdated, with new guidelines on those subjects having been published by DEA in 2017. It is imperative, in order to facilitate informed decision-making, that the most up-to-date guidelines are used in preparation of a basic assessment report.</p>	<p>The 2017 version of the guideline has not been gazetted and its status as an official guideline and associated commencement date is thus uncertain. The requirements of this guideline have in any event been complied with.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>66.3. Thirdly, ABS Africa has failed to properly consider the relevant municipal development planning frameworks, including the Pixley Ka Seme SDF and the Siyathemba Local Municipality IDP, and specifically in the context of assessing need and desirability of the proposed prospecting activities. This aspect has been dealt with in Section D above.</p>	<p>Please refer to the earlier responses to these comments.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>66.4. ABS Africa has also not identified DEA's National Guideline on Minimum Information Requirements for preparing Environmental Impact Assessments for Mining Activities that require Environmental Authorisation in the DBAR. It is therefore unclear whether this Guideline was consulted during the basic assessment process. However, given the information presented in the DBAR, we are of the view that this is not the case. For example, the Guideline requires that "the need and desirability should ultimately address how the mines development is justifiable based on socio, environmental and economic</p>	<p>The guideline was considered but has not been referenced as a final version has not been gazetted at this stage.</p> <p>The current application is for a prospecting right and it should not be conflated with mining, which will have its own mining right application and scoping and environmental impact reporting process. The need and desirability of mining will need to be addressed as part of that application process.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>outcomes". As described in Section D above, need and desirability, particularly in the context Mulilo's operational and prospective solar PV facilities on the subject-properties, has not been properly examined.</p>	<p>Please refer to the earlier responses regarding the need and desirability of the prospecting in relation to the Mulilo solar PV facilities.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>66.5. Fourthly, the DBAR does not address how the proposed activity complies with all <u>legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to this activity and have been considered in the preparation of the report.</u></p>	<p>This has been addressed in Section 4 of the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>66.6. Appendix 1 (3)(1)(f) requires "a motivation for the need and desirability of the proposed development, including the need and desirability of the activity in the context of the preferred location". Such a motivation has not been provided by ABS Africa. This has been dealt with in section D above.</p>	<p>The BAR does comply with this requirement. Please refer to the earlier responses.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>67. Appendix 1 (3)(1)(g) and (h) require "a motivation for the preferred site, activity and technology alternative", and "a full description of the process followed to reach the preferred alternative within the site". As described in Section B above, ABS Africa has not complied with this requirement.</p>	<p>The BAR does comply with this requirement. Please refer to the earlier responses.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV</p>		<p>Via email and attached</p>	<p>68. Appendix 1 (3)(1)(h)(ii) requires a basic assessment report to contain "details of the public participation process undertaken in terms of regulation 41 of the [EIA]"</p>	<p>The BAR does comply with this requirement. The supporting documents and inputs include the text of the site notice and newspaper advertisement.</p>

<p>Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>letter on 22 January 2019</p>	<p><i>Regulations, including copies of the supporting documents and inputs</i>": While Appendix C2 contains the text of the notice of the application purportedly placed in a local newspaper as required by Regulation 41(2)(c)(i), a copy of the newspaper extract in question is not included. It is therefore impossible to determine when and in which newspaper the advertisement was placed. Furthermore, Appendix C3 contains a copy of the site notice purportedly placed at site in compliance with Regulation 41(2)(a). However, no dated photograph of the notice at site is included, and we therefore cannot determine whether such placement in fact occurred. This information should be included in the DBAR.</p>	<p>The advert was placed in the local newspaper Die Oewernuus on 29 November 2018. The site notices were placed by the EAP during the week of 29 November 2018. Photographic evidence is available and will be provided in the Final BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>69. Appendix 1 (3)(1)(h)(v) and (vii) require the assessment of all impacts and risks identified for each alternative. For the reasons detailed in section C, we are of the view that this requirement has not been complied with, as the assessment of impacts associated with the proposed prospecting activities is deficient.</p>	<p>The BAR does comply with this requirement. Please refer to the earlier responses.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>70. Appendix 1 (3)(1)(k) requires a summary of the findings and impact management measures identified in any specialist report. In this regard, the DBAR simply notes that "<i>the specialist studies compiled as part of the EIAs for the several renewable energy developments proposed within the prospecting right area have been considered in the BAR</i>". This is copied directly from the Klipgatspan</p>	<p>For the reasons provided earlier, the application has been informed by a site-specific desktop heritage specialist study. A summary of this study is provided in Section 8.1.14 of the BAR and in Table 12-1 (impacts and mitigation measures) A summary of the relevant desktop baseline information on environmental attributes described</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>			<p>DBAR. No additional summary is provided in respect of the DBAR under consideration.</p>	<p>in other specialists' studies completed in the area is provided in section 8 of the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>71. Appendix 1 (3)(1)(l) requires an environmental impact statement which contains a summary of the key findings of the EIA, a sensitivity map, and a summary of positive and negative impacts and risks of the proposed activity. ABS Africa notes the following in this regard:</p> <p><i>"Sufficient and appropriate information on the proposed development and the receiving environment was available for conducting the impact assessment;</i></p> <p><i>With mitigation measures applied, the proposed development is compatible with current land uses; and</i></p> <p><i>No significant negative impacts have been identified. Impacts identified have been assessed to be reversible and can be satisfactorily mitigated'.</i></p>	<p>No response needed.</p>	
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>72. The above statements are not correct based on the information contained in the DBAR. Insufficient assessment of all relevant impacts has been conducted, as detailed in Section C above. Most notably, much of the information relied on by ABS Africa relates not to the subject-properties, but other properties in the Copperton area, and is consequently insufficient. Furthermore, the Ecorex report (2017) on which ABS Africa appears to have relied has not been appended to the DBAR, and we have</p>	<p>The EAP considers the statements to be valid. Please refer to the earlier responses to this issue.</p>	

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>73. <u>Appendix 1 (3)(1)(o)</u> requires a "description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed." ABS Africa notes in this regard that the contents of the DBAR "reflect the best judgement of ABS Africa in light of the information available at the time of preparation." This section should specifically record that the information in the DBAR is based purely on a desktop review of existing information, some of which does not relate directly to the subject-properties. The section should further explain why sufficient time was not allocated to the project in order to secure more and better information, and particularly so that ecological site assessments and heritage and palaeontological walk-throughs could occur.</p>	<p>The use of desktop information to inform a basic assessment for an activity that is small-scale, temporary and low-impact is considered to be acceptable.</p> <p>Please refer to the earlier responses to this issue.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>74. <u>Appendix 1 (3)(1)(p)</u> requires "a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation". In this regard ABS Africa notes as follows:</p> <p>"Based on the findings of the impact assessment, and with the understanding that the mitigation measures will continue to be implemented throughout the prospecting period, the EAP is of the opinion that an</p>	<p>No response necessary.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p><i>environmental authorisation for the prospecting activities may be granted</i>.</p>	<p>The EAP confirms the statement. The impacts to Mulilo have been considered. Please see the earlier responses to the issues raised with respect to dustfall, socio-economic benefits and need and desirability as they relate to Mulilo.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>75. The above statement cannot be supported in light of the deficiencies in the basic assessment process detailed in these comments. Specifically, the impacts on Mulilo as an existing holder of surface rights in relation to its operational and prospective solar PV facilities on properties close to the subject-properties, have not been properly assessed.</p> <p>F. ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr)</p>	<p>No response necessary.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76. In our considered opinion, the EMPr contains several material omissions and deficiencies and is consequently not fit for purpose (nor legally compliant) in its current form. The following aspects comprise the most material deficiencies:</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.1. The composite map (Sensitivity Map) purports to delineate "areas to be avoided by the proposed prospecting activities". However, no walk-through / field survey was conducted to determine definitively the existence and location of heritage resources on the</p>	<p>The sensitivity map is accurate and complete and is adequate to inform the proposed prospecting activities. The BAR does comply with the EIA Regulations, 2014 (as amended) in this regard.</p>

<p>Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>			<p>subject-properties. Similarly, no site assessment was conducted to properly identify ecological attributes, including species of particular sensitivity. The information in respect of both heritage and ecological attributes was obtained from desktop reviews of information not directly related to the subject-properties. The Sensitivity Map therefore cannot be deemed to be accurate and complete. It therefore does not comply with Appendix 4 (1)(1)(c) of the EIA Regulations, 2014.</p>	<p>The rationale and suitability of a desktop assessment, for the type of activity envisaged, has been explained in earlier responses.</p> <p>Please note that the desktop heritage specialist study specifically considered the subject properties within the proposed prospecting right area.</p> <p>Importantly, through the requirement for specialist ecology and heritage survey of the drilling site locations prior to drilling commencing, it will be ensured that impacts to sensitive environmental resources will be avoided.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.2. The EMPr refers to Table 19-1 of the DBAR as specifying income management <u>objectives</u> and <u>outcomes</u>. However, Appendix 4 (1)(1)(d) and (e) of the EIA Regulations, as amended in 2017, require a description of impact management <u>objectives</u> and <u>actions</u>. This amendment, and the nuance between “actions” and “outcomes” does not appear to have been addressed by ABS Africa in this section of the EMPr.</p>	<p>Please refer to Table 29.2 and 29.3 where the impact management objectives and actions have been addressed in the prescribed format required by the DMR.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.3. The EMPr does not contain a description of the impact management outcomes of the activity (identifying impacts and risks that need to be avoided, managed and mitigated) for the planning and design, pre-construction, construction, and rehabilitation phases of the prospecting activities, as required by Appendix 4 (1)(1)(d).</p>	<p>Section 16 of the BAR provides for the assessment of each identified impact and risk, across the different phases of the proposed prospecting activity.</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>Paragraph 29.1 of the EMPr refers only to the closure outcomes. It is unclear why closure is being addressed by the EMPr, and not the other phases of development, particularly given that the activity in question does not relate to decommissioning or closure of a facility as prescribed by Regulation 19(5).</p>	<p>All phases of the proposed prospecting have been considered in the BAR. Please refer to Table 29-1 of the BAR. The Determination of Closure Objectives in Section 29.1 of the BAR is part of the prescribed format of the EMPr</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.4. Paragraph 29.2 of the EMPr addresses an aspect which was not previously addressed in the DBAR, namely the use of water of prospecting activities, and particularly the requirement for <u>three settling ponds</u> to treat the water by-product. These ponds have not been included in the list of <i>Listed and Specified Activities triggered</i> by the proposed prospecting activities and contained in section 3.2 of the DBAR. The impacts associated therewith have therefore not been assessed.</p>	<p>The settling ponds are part of the drilling activity and are included within the 15 m x 15 m surface disturbance area of each drilling site. The ponds have thus been described and the impacts assessed as part of the consideration of the drilling activity.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.5. Table 29-1 entitled "<i>Impacts to be mitigated in their respective phases</i>" is problematic for at least the following reasons:</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment:</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.5.1. Firstly, Table 29-1 is incomplete, as it does not properly address the impacts of dust on existing and prospective solar PV facilities operated by Mulilo, and specifically measures to be put in place should the PV panels be soiled; and</p>	<p>It is noted that the nearest proposed solar PV facility (Struisbult PV 2) and nearest operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.7 km and 4.4 km respectively, from the nearest boundary of the prospecting right area. No</p>

<p>Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>			<p>dustfall impacts to Mulilo can be expected at these distances.</p> <p>The applicant will also be using diamond core drilling, which does not generate dust. Further, mitigation measures for controlling dust from access tracks and site preparation activities have been proposed in the EMPr. The potential impact of dust has thus been dealt with extensively in the BAR.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>76.5.2. secondly, under "Soils and Land Use" the size and scale of disturbance is recorded as being 7375m². This is a direct copy-and-paste from the Klipgatspan DBAR.</p>	<p>The BAR has been corrected to reflect that the invasive prospecting activities will comprise of a planned 10 holes only, with a total surface disturbance area of approximately 0.29 ha.</p> <p>Note that this does not constitute new information but rather the correction of an error which has no influence on the impact assessment or recommended mitigation measures.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>76.6. In respect of impacts to terrestrial ecology, as discussed in Section C above, an inadequate assessment of impacts has resulted in proposed mitigation measures which are largely superficial and generic. A site visit <u>must</u> be conducted in addition to the desktop review of the available ecological information for the area in order to identify and characterise the ecological features of the subject-properties and develop an ecological sensitivity map.</p>	<p>Given the significant extent of the prospecting rights area and the intention to temporarily disturb approximately 0.29 ha as part of the prospecting activities, it is impractical to subject the entire proposed area of more than 15 000 ha to a detailed ecological specialist study.</p> <p>Sensitive heritage and ecological areas have been identified and excluded from invasive prospecting. Furthermore, the EMPr requires that an ecological and heritage survey be done at each drilling site prior to drilling commencing to ensure that no</p>

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.7. In respect of mitigation of heritage impacts, in our view a walk down must be conducted as part of the initial basic assessment process, and not only prior to intrusive prospecting and once an environmental authorisation in this regard has been granted. The mitigation measures proposed are therefore ineffectual in the absence of a complete assessment of potential heritage resources and sensitivities.</p>	<p>sensitive environmental and/or heritage feature is impacted upon.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>76.8. In terms of potential socio-economic impacts, negative socio-economic impacts may flow as a result of increased dustfall on Mulilo's operational (and prospective) solar PV panels on the adjacent Farm 104, Vogelstruisbult, Farm 146, Hoekplaas, and Farm 117 Klipgatspan. Increased dustfall could compromise the functioning of Mulilo's facilities (particularly in the summer months), thereby adversely affecting both the productivity and the financial viability of Mulilo's operations. This impact has not been</p>	<p>Please refer to the comment above with respect to the impracticality of undertaking a specialist site survey over such an extensive area when only 0.29 ha is planned to be disturbed. The approach is thus that once a need for drilling has been confirmed (target mineral resource identified though the non-invasive prospecting surveys) and the corresponding drilling locations have been confirmed, a heritage specialist will inspect each drilling location to ensure that no significant heritage resources are associated with the site. This is included in the EMPi.</p> <p>The desktop study was undertaken by a qualified archaeologist and palaeontologist. The approach to the study was also discussed with SAHRA prior to the study commencing.</p> <p>It is noted that the nearest proposed solar PV facility (Struisbult PV 2) and nearest operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.7 km and 4.4 km respectively, from the nearest boundary of the prospecting right area. No dustfall impacts to Mulilo can be expected at these distances.</p> <p>The applicant will also be using diamond core drilling, which does not generate dust. Further, mitigation measures for controlling dust from</p>

			considered by ABS Africa, and consequently adequate mitigation measures have not been proposed.	access tracks and site preparation activities have been proposed in the EMPr. The potential impact of dust has thus been dealt with extensively in the BAR.
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	76.9. Table 30-2 details the mechanism for monitoring compliance with the EMPr. In relation to increased dustfall, the following is noted: <i>"The monthly dust monitoring and meteorological reports will be compiled by Airshed and submitted to the Solar Plants within 21 days of the end of the specific monitoring period. Incidences and complaints regarding noise and dust must be logged in a complaints register."</i>	Responses have been provided below for each of the specific comments submitted in support of this comment.	
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd	Via email and attached letter on 22 January 2019	76.10. This is the first mention made in the DBAR of monthly dustfall monitoring and reporting thereon to the "solar plants" (which presumably includes those owned and/or operated by Mullilo Renewable Energy Solar PV Prieska (RF); Mullilo Sonnedix Prieska PV (RF) and Mullilo Prieska PV (RF)). No further information is provided regarding the dustfall monitoring programme, and specifically the location of sampling sites. It is therefore impossible to ascertain whether the programme will adequately monitor dustfall as a result of prospecting activities.	This mitigation measure was adopted from the method statement for dust mitigation, compiled by Mullilo for implementation by Orion Minerals Ltd. subsidiaries. It is included in the EMPr to make provision for the extension of the current dustfall monitoring programme for which it is understood that there is already an agreement in place between Mullilo and Orion.	
Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo	Via email and attached	76.11. Appendix 4 (1)(1)(n) requires that the competent authority must be provided with any specific information that it may require. In our view, insufficient	Mullilo's activities have been identified in the BAR and reflected on the map in Appendix B of the	

Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		letter on 22 January 2019	information regarding Mulilo's current (and future) authorised activities on the subject-properties has been provided in a manner that will allow the competent authority to render an informed decision on the application.	BAR in relation to the proposed prospecting right area.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	G. INSUFFICIENT DETAIL AND INFORMATION REGARDING FINANCIAL PROVISIONING	Responses have been provided below for each of the specific comments submitted in support of this comment.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	77. The determination of appropriate financial provisioning is regulated by the <i>Regulations pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations</i> . Regulation 4 stipulates that " <i>an applicant or holder of a right or permit must determine and make financial provision to guarantee the availability of sufficient funds to undertake rehabilitation and remediation of the adverse environmental impacts of prospecting as contemplated in the Act</i> "	No response needed.
Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd		Via email and attached letter on 22 January 2019	78. In terms of the "closure objectives" which the financial provision estimated by Orion purports to address, no provision is made for the remediation or rehabilitation of solar PV panels and associated infrastructure. Such remediation may be necessary in the event of damage to solar PV panels as a result of dust emission caused by the proposed activities, or reduced profitability of Mulilo's	It is noted that the nearest proposed solar PV facility (Struisbult PV 2) and nearest operating solar PV facility (Mulilo Solar PV) to the proposed prospecting right area is approximately 4.7 km and 4.4 km respectively, from the nearest boundary of the prospecting right area. No

<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>operational and proposed solar PV facilities as a result of increased dustfall.</p>	<p>dustfall impacts to Mulilo can be expected at these distances.</p> <p>The applicant will also be using diamond core drilling, which does not generate dust. Further, mitigation measures for controlling dust from access tracks and site preparation activities have been proposed in the EMPr.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>79. Regulation 10 requires a rehabilitation plan to be submitted as “<i>part of the information submitted for consideration by the Minister responsible for mineral resources of an application for environmental authorisation</i>”. No such plan has been included by ABS Africa in the DBAR. Section 30.3 of the EMPr purportedly comprises a rehabilitation plan. This section is, however, simply a bullet point list of action items and contains insufficient information to properly be considered a “plan” for the purpose of Regulation 10.</p>	<p>The rehabilitation plan is deemed to be appropriate for the nature and extent of the proposed prospecting activities which comprise of 10 drilling sites with a total surface area disturbance of approximately 0.29 ha.</p>
<p>Nicholas Smith Attorneys on behalf of Mulilo Prieska PV (RF) (Pty) Ltd; Mulilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mulilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>Via email and attached letter on 22 January 2019</p>	<p>80. Regulation 6 also requires an applicant to determine financial provision through “<i>a detailed itemization of all activities and costs</i>”. In this regard, ABS Africa has only identified three items, namely: general surface rehabilitation; rehabilitation of access roads; and aftercare and maintenance. This list is insufficiently detailed to enable us to comment on the cost of individual actions, and whether they are sufficient to address remediation and rehabilitation action items.</p>	<p>These are the only items applicable to the proposed prospecting activities.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>		<p>81. It appears however that the cost of "general surface rehabilitation" has been limited to the initial 15 boreholes proposed. This is not sufficient, considering the DBAR notes that the number of boreholes may be increased to 30 or 40 depending on the extent of the orebody encountered (if any).</p>	<p>Only 10 boreholes with a total surface area disturbance of approximately 0.29 ha are being proposed. Approval from the DMR will need to be obtained prior to commencing with any additional boreholes.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>82. The list also does not detail for how many years the financial provision of R98 615.38 is allocated. Regulation 7 requires financial provision to be "<i>at any time, equal to the sum of the actual costs of implementing the plans and report contemplated in Regulation 6 [rehabilitation plan] for a period of at least 10 years</i>". In our view, the amount proposed does not appear to be sufficient for the 10-year period contemplated by law, particularly considering the potentially significant financial remediation which may be required should Mullilo's solar PV operations be compromised; a cost which has not been accounted for in the calculation of financial provision.</p>	<p>The financial provision is linked to the prospecting work programme, which is expected to be complete within a period of 5 years.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>H. CONCLUSION</p>	<p>Responses have been provided below for each of the specific comments submitted in support of this comment.</p>

<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>83. In our view, the DBAR in its current form falls short of the requirements of the EIA Regulations, 2014, and contains inadequate information to enable us, on behalf of Mullilo, to comment meaningfully on the proposed prospecting activities and associated impacts. A comprehensive assessment of all relevant impacts has not been conducted, and ABS Africa has entirely failed to consider reasonable and feasible alternatives. Fundamentally, the DBAR fails to have proper regard to Mullilo's operational and prospective solar PV facilities in close proximity to the subject-properties, and how the impacts associated with particularly intrusive prospecting activities will affect this existing land use.</p>	<p>Adequate information has been presented in the BAR and the EIA Regulations, 2014 (as amended) have been complied with.</p> <p>An assessment of all relevant impacts, to the degree required for the nature and extent of the proposed prospecting activities, has been conducted and associated reasonable and feasible alternatives discussed.</p> <p>The potential impacts to Mullilo's prospective and operating solar PV plants (the nearest of which is 4 km from the nearest boundary of the proposed prospecting right area have been assessed.</p>
<p>Nicholas Smith Attorneys on behalf of Mullilo Prieska PV (RF) (Pty) Ltd; Mullilo Renewable Energy Solar PV Prieska (RF) (Pty) Ltd and Mullilo Sonnedix Prieska PV (RF) (Pty) Ltd</p>	<p>Via email and attached letter on 22 January 2019</p>	<p>84. We look forward to our comments receiving appropriate attention as the basic assessment process progresses, and we reserve our client's right to revise initial comments and request further information based on any additional information that may be received as the basic assessment process continues. Given that a proper supplementation of the DBAR in order to deal with the substantive deficiencies identified herein will by definition comprise the production (by ABS Africa) of material information, the DBAR should be circulated for a further round of public participation before it can properly be considered on its merits by the competent authority. Accordingly, and on behalf of Mullilo, we await the provision of the substantially supplemented DBAR that is required in the</p>	<p>Detailed responses have been provided to the comments raised but no new information to that presented in the DBAR has been introduced. Consequently, there is no need for a further draft BAR to be distributed for review.</p>

Dick Petshwa		<p>circumstances, and in order to pass muster from the environmental legal perspective.</p> <p>I am trying for the past months to access documents from your website without any success. All four projects listed on your website aren't accessible at all. The drop-down folders indicated aren't responsive.</p> <p>I am just but a local resident who's interested in your mining activities in Prieska. Please advise me on ways of getting access to the project documents.</p>	<p>Thank you for notifying us of your difficulty in accessing the documents.</p> <p>This is the first time we have been notified of this issue. In checking the website this morning, we confirm that the documents on the ABS Africa website are accessible from our end. We have however asked our website developer to check that there are no access problems which we may not be aware of.</p> <p>If you prefer to review a hard copy of the reports, please feel free to visit the Orion Minerals office in Prieska (GWK Filling Station) or the Prieska Library, where hard copies of the reports have been made available. A comment register has also been placed at these venues for comments to be provided.</p> <p>The comment period on the Vardocube Draft Environmental Impact Report closes on 25 February 2019. The comment period on the prospecting right applications has closed.</p>
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<p>Sonia Miszczak Atlantic Renewable Energy Partners</p>			<p>Should you still have difficulty in accessing the document, please contact Chane at prieskapp@abs-africa.com or 021 403 6570.</p>
		<p>Atlantic Renewable Energy Partners (Pty) Ltd ("AEP") has a direct interest in the approval or refusal of the proposed prospecting rights because approval of prospecting rights can significantly impact our solar developments in the area.</p> <p>AEP is developing four solar PV facilities on the farm Humansrus 147, which is situated adjacent to the Vogelstruisbult farm. Environmental authorisation has been received from the Department of Environmental Affairs for the proposed solar facilities.</p> <p>The current perceived implications of the proposed mining activities have a high probability of being detrimental over the long period for the Humansrus solar facilities. Should the Humansrus solar facilities not yet be constructed at the time of infrastructure development (i.e. roads, rail and power infrastructure, new wastewater treatment infrastructure, mine residue stockpile facilities, borrow pits, etc), the effects of infrastructure development would be limited. However, the overall long term implication of mining activities on the adjacent property could potentially have significant implications on the solar facility performance, infrastructure and maintenance. The quantification of such detrimental impacts should be determined.</p> <p>Should the Humansrus solar facilities be operational at the time of prospecting, invasive prospecting on the neighbouring farms could have a detrimental impact on the solar PV energy facilities if the invasive prospecting creates</p>	<p>This application and associated basic assessment is only for prospecting.</p> <p>Impacts of any mining, should this proceed, will have to be assessed as part of the mining right application and scoping and environmental impact reporting process required at that time.</p> <p>The applicant will also be using diamond core drilling, which does not generate dust. Further, mitigation measures for controlling dust from access tracks and site preparation activities have been proposed in the EMPr.</p>

				dust, which would impact the efficiency and yield of the solar panels.	
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APPENDIX C5 –I&AP REGISTER

SURNAME	FIRST NAME	ORGANISATION	DATE OF NOTIFICATION	METHOD	DATE OF NOTIFICATION	METHOD
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Landowners

Stadhouer	Ronny	Stadhouer Trust	30-Nov	letter Email and attached	07-Jan-19	Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov	letter Email and attached	07-Jan-19	Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov	letter Email and attached	07-Jan-19	Email
Moeketsi	Kgotso	Depratment of Rural Development	30-Nov	letter Email and attached	07-Jan-19	Email
Moeketsi	Kgotso	Depratment of Rural Development	30-Nov	letter Email and attached	07-Jan-19	Email
van Zyl	Andre	unknown	30-Nov	letter Email and attached	07-Jan-19	Email
Stadhouer	Ronny	Stadhouer Trust	30-Nov	letter Email and attached	07-Jan-19	Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov	letter Email and attached	07-Jan-19	Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov	letter Email and attached	07-Jan-19	Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov	letter	07-Jan-19	Email

Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email
Crafford	Danie	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email
Van Zyl	Salmon	unknown	30-Nov letter	Email and attached	07-Jan-19 Email
Conradie	Bundu	unknown	30-Nov letter	Email and attached	07-Jan-19 Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email
Moeketsi	Kgotso	Depratment of Rural Development	30-Nov letter	Email and attached	07-Jan-19 Email
Occupiers of the site					
Van der Westhuizen	Johan		30-Nov letter	Email and attached	07-Jan-19 Email
Adjacent Landowners					
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter	Email and attached	07-Jan-19 Email

Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter Email and attached	07-Jan-19 Email
Matsapola	Phaphedi	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter Email and attached	07-Jan-19 Email
Crafford	Danie	Armcor Defence Institutes / Alkantpan Test Range	30-Nov letter Email and attached	07-Jan-19 Email
Buys	P.J	Private Landowner	30-Nov letter Email and attached	07-Jan-19 Email
de Jager	Justina	Agent to the Executor of the Estate of Mr. C.J de Jager	30-Nov letter Email and attached	07-Jan-19 Email
de Jager	Aletta	Executor of the Estate of Mr.C.J de Jager (Surface owner	30-Nov letter Email and attached	07-Jan-19 Email
de Jager	Cornelius Frans	(Azuntie Straat) Independent Homeowner	30-Nov letter Email and attached	07-Jan-19 Email
Moeketsi	Kgotso	National Government of South Africa	30-Nov letter Email and attached	07-Jan-19 Email
Conradie	Bundu		30-Nov letter Email and attached	07-Jan-19 Email
Meyer	Hester Cecilia	Copperton Development CC	30-Nov letter Email and attached	07-Jan-19 Email
Van Zyl	Andre		30-Nov letter Email and attached	07-Jan-19 Email
Mahlangu	George	Enel Green Power RSA	30-Nov letter Email and attached	07-Jan-19 Email

Gurgoglione	Matteo	Enel Green Power RSA	30-Nov letter Email and attached	07-Jan-19 Email
Mathebula	Mantwa	Enel Green Power RSA	30-Nov letter Email and attached	07-Jan-19 Email
Singh	Trenisha	Enel Green Power RSA	30-Nov letter Email and attached	07-Jan-19 Email
Adjacent Occupiers of the Site				
Cullum	John	Mulilo Renewable Energy Solar PV (RF) (Pty) Ltd	30-Nov letter Email and attached	07-Jan-19 Email
Cope	Jason	Veld Renewables (Copperton Wind Farm)	30-Nov letter Email and attached	07-Jan-19 Email
Low	Karen	Mulilo Renewable Project Developments	30-Nov letter Email and attached	07-Jan-19 Email
Municipal Councillor				
Speelman	Gloria	Siyathemba Local Municipality: Ward 4 Councillor	30-Nov letter Email and attached	07-Jan-19 Email
Local and District Municipality				
Tsume	H	Siyathemba Local Municipality	30-Nov letter Email and attached	07-Jan-19 Email
Stadhouer	IWJ	Siyathemba Local Municipality	30-Nov letter Email and attached	07-Jan-19 Email
Basson	J	Siyathemba Local Municipality	30-Nov letter Email and attached	07-Jan-19 Email

Kibi	MT	Pixley ka Seme District Municipality	Email and attached letter 30-Nov	07-Jan-19 Email
Organs of State with Jurisdiction				
Kgampe	M	D: Department of Science and Technology	Email and attached letter 30-Nov	07-Jan-19 Email
Gumbi	N	DD: Department of Science & Technology	Email and attached letter 30-Nov	07-Jan-19 Email
Nemaungani	T	CD: Department of Science & Technology	Email and attached letter 30-Nov	07-Jan-19 Email
Sebueng	V	Department of Science and Technology: Admin Officer	Email and attached letter 30-Nov	07-Jan-19 Email
Mazibuko	B	SKA SA - Spectrum	Email and attached letter 30-Nov	07-Jan-19 Email
Mathane	S	SKA SA - Spectrum	Email and attached letter 30-Nov	07-Jan-19 Email
Monama	T	SKA SA - GIS	Email and attached letter 30-Nov	07-Jan-19 Email
Mohapi	S	Department of Science & Technology - Legal Services	Email and attached letter 30-Nov	07-Jan-19 Email
Moonsamy	S	Department of Science & Technology - Legal Services	Email and attached letter 30-Nov	07-Jan-19 Email
Nape	T	SARAO - Permit Coordinator	Email and attached letter 30-Nov	07-Jan-19 Email

Sethole	B	SKA SA - Analyst	30-Nov letter	Email and attached	07-Jan-19 Email
Monyamane	Ezekiel	Transnet SOC LTD.	30-Nov letter	Email and attached	07-Jan-19 Email
Reddy	Krishna	Transnet SOC LTD.	30-Nov letter	Email and attached	07-Jan-19 Email
Papenfus	Norman	Transnet SOC LTD.	30-Nov letter	Email and attached	07-Jan-19 Email
Hamman	J.N	Provincial Government: Northern Cape	30-Nov letter	Email and attached	07-Jan-19 Email
Timothy	A	South African Heritage Resource Agency	30-Nov letter	Email and attached	07-Jan-19 Email
Nogwili	K	Northern Cape Department of Transport, Roads & Public	30-Nov letter	Email and attached	07-Jan-19 Email
Abrahams	A	Department of Water & Sanitation: Kimberley	30-Nov letter	Email and attached	07-Jan-19 Email
Ntoi	Mosala	Department of Water & Sanitation	30-Nov letter	Email and attached	07-Jan-19 Email
Khutjo	Sekwaila	Department of Water & Sanitation: Northern Cape Regi	30-Nov letter	Email and attached	07-Jan-19 Email
Govender	M	Department of Environmental Affairs	30-Nov letter	Email and attached	07-Jan-19 Email
Swart	P	Department of Mineral Resources: Northern Cape	30-Nov letter	Email and attached	07-Jan-19 Email

Shandukani	Patricia	Department of Mineral Resources: Northern Cape	30-Nov letter Email and attached	07-Jan-19 Email
Mashau	Humbulani	Department of Mineral Resources: Northern Cape	30-Nov letter Email and attached	07-Jan-19 Email
de Kock	Rene	SANRAL SOC LTD.	30-Nov letter Email and attached	07-Jan-19 Email
Moholo	Sylvia	Department of Public Works: Kimberley	30-Nov letter Email and attached	07-Jan-19 Email
Moeketsi	Kgotso	Provincial Head: NC Department of Agriculture, Land Re	30-Nov letter Email and attached	07-Jan-19 Email
Dikeni	T	CEO: Northern Cape Economic Development, Trade and	30-Nov letter Email and attached	07-Jan-19 Email
Lucas	S	Northern Cape Office of the Premier	30-Nov letter Email and attached	07-Jan-19 Email
Moleko	D	Northern Cape Provincial Government	30-Nov letter Email and attached	07-Jan-19 Email
Ravhugoni	Ntsundeni	Department of Mineral Resources: Northern Cape - Envi	30-Nov letter Email and attached	07-Jan-19 Email
Mthonbeni	Thulani	Northern Cape Department of Environmental Affairs anc	30-Nov letter Email and attached	07-Jan-19 Email
Kgosi	Dineo	Northern Cape Department of Environmental Affairs anc	30-Nov letter Email and attached	07-Jan-19 Email
Cloete	Shaun	Department of Water & Sanitation: Kimberley	30-Nov letter Email and attached	07-Jan-19 Email

Mahlako	R	Department of Water & Sanitation: Kimberley	30-Nov letter	Email and attached	07-Jan-19 Email
Dlamini	Bonginkosi	Department of Environmental Affairs - Hazardous Waste	30-Nov letter	Email and attached	07-Jan-19 Email
Mahlangu	Lucas	Department of Environmental Affairs - Hazardous Waste	30-Nov letter	Email and attached	07-Jan-19 Email
Sefako	Dr Ramotholo	South African Astronomical Observatory	30-Nov letter	Email and attached	07-Jan-19 Email
Kekana	David	Northern Cape Department of Environmental Affairs and	30-Nov letter	Email and attached	07-Jan-19 Email
Nkoane	Cynthia	Department of Rural Development	30-Nov letter	Email and attached	07-Jan-19 Email
Mosala	Ntoi	Department of Water & Sanitation UPT	30-Nov letter	Email and attached	07-Jan-19 Email
Other					
Shamu	Walter	Orion Minerals	30-Nov letter	Email and attached	07-Jan-19 Email
Birch	Marcus	Orion Minerals	30-Nov letter	Email and attached	07-Jan-19 Email
Brown	Robyn	Mulilo Renewable Project Developments	30-Nov letter	Email and attached	07-Jan-19 Email
Liebenberg	Schalk	GWK Group	30-Nov letter	Email and attached	07-Jan-19 Email

Brooks	Llewellyn	GWK Group	30-Nov letter Email and attached	07-Jan-19 Email
Kotze	Juan	GWK Group	30-Nov letter Email and attached	07-Jan-19 Email
van Zyl	Wiehann	Solek Renewable Energy Engineers	30-Nov letter Email and attached	07-Jan-19 Email
Botha	Simon	Interested Party	30-Nov letter Email and attached	07-Jan-19 Email
Dean	David	Mainstream Renewable Power South Africa	30-Nov letter Email and attached	07-Jan-19 Email
Papier	Piet	Interested Party	30-Nov letter Email and attached	07-Jan-19 Email
Potgieter	Izak	Duncan & Rothman Attorneys	30-Nov letter Email and attached	07-Jan-19 Email
Steenkamp	Lucas Petrus	Interested Party	30-Nov letter Email and attached	07-Jan-19 Email
Diuger	Edward	Boer/ Landboukamdige	30-Nov letter Email and attached	07-Jan-19 Email
Wessels	D.C	Steenkop Boerdery	30-Nov letter Email and attached	07-Jan-19 Email
de Jager	Cornelius Frans	(Azuntie Straat) Independent Homeowner	30-Nov letter Email and attached	07-Jan-19 Email
Gainsford	Percy	Prieska Black Business Forum	30-Nov letter Email and attached	07-Jan-19 Email

de Jager	Sandra	Interested Party	Email and attached letter	30-Nov	07-Jan-19
Human	Wynand	Interested Party	Email and attached letter	30-Nov	07-Jan-19
Human	Johannes	Agri Prieska	Email and attached letter	30-Nov	07-Jan-19
Dwyer	Dulcken	Agri Prieska	Email and attached letter	30-Nov	07-Jan-19
Botha	JP	Agri Prieska	Email and attached letter	30-Nov	07-Jan-19
Hamman	Hano	Prieska Copper Mines Ltd	Email and attached letter	30-Nov	07-Jan-19
Venturi	Fabio	Terramanzi	attached letter	30-Nov	07-Jan-19
Parra	Rodrigo	Elawan	Email and attached letter	30-Nov	07-Jan-19
Low	Karen	Mulilo Renewable Project Developments	Email and attached letter	30-Nov	07-Jan-19
Meyer	Pieter-Mike	Request Trust	Email and attached letter	30-Nov	07-Jan-19
Cullum	John	Mulilo Renewable Energy Solar PV (RF) (Pty) Ltd	attached letter	30-Nov	07-Jan-19
Tredoux	Henri	Tenant	Email and attached letter	30-Nov	07-Jan-19

Meyer	Pieter-Mike	Request Trust	30-Nov letter	Email and attached	07-Jan-19 Email
Jenkins	Michelle	Prieska Copper Mines Ltd	30-Nov letter	Email and attached	07-Jan-19 Email
Van Wyk	Helen Cathren Louise	Gemeend Trust	30-Nov letter	Email and attached	07-Jan-19 Email
Fourie	Wilhette	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
Human	Christina Susanna	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
Human	Hendrik Gideon	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
Ekkart	Frans	Tenant	30-Nov letter	Email and attached	07-Jan-19 Email
Rudolph	Gerhardus Jacobus	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
Bernard	Jemima Josina	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
van Zyl	Salmon Jacobus	Private Landowner	30-Nov letter	Email and attached	07-Jan-19 Email
Mdunyelwa	Nomzamo	Eskom Holdings SOC LTD	30-Nov letter	Email and attached	07-Jan-19 Email
Meyer	Hester Cecilia	Copperton Development CC	30-Nov letter	Email and attached	07-Jan-19 Email

Meyer	Hester Cecilia	Interested Party	30-Nov letter Email and attached	07-Jan-19 Email
Bekebeke	Justice	Provincial Government of Northern Cape	30-Nov letter Email and attached	07-Jan-19 Email
Nyker	Jasandra	BioTherm Energy (Pty) Ltd	30-Nov letter Email and attached	07-Jan-19 Email
Cope	Jason	Veld Renewables (Copperton Wind Farm)	30-Nov letter Email and attached	07-Jan-19 Email
Parra	Rodrigo	Elawan	30-Nov letter Email and attached	07-Jan-19 Email
van der Westhuizen	Corne	Kronos Solar Farm 1 (Pty) Ltd	30-Nov letter Email and attached	07-Jan-19 Email
Peinke	David	Atlantic Renewable Energy Partners	30-Nov letter Email and attached	07-Jan-19 Email
Miszczak	Sonia	Atlantic Renewable Energy Partners	30-Nov letter Email and attached	07-Jan-19 Email
Wolmarans	Johannes	Humansrus Solar Projects / Solek	30-Nov letter Email and attached	07-Jan-19 Email
Dean	David	Mainstream Renewable Power South Africa	30-Nov letter Email and attached	07-Jan-19 Email
Arthur		Alkantpan Test Range - Lodge	30-Nov letter Email and attached	07-Jan-19 Email
Loots	Tharina	Alkantpan Test Range - Lodge	30-Nov letter Email and attached	07-Jan-19 Email

Venturi Mathebula	Fabio Mantwa	Terramanzi Garob Wind Farm is owned by Enel Green Power	30-Nov letter 30-Nov Email and Email and attached	07-Jan-19 Email 07-Jan-19 Email
Hardev	Trenisha	Garob Wind Farm is owned by Enel Green Power	30-Nov letter Email and attached	07-Jan-19 Email
Bellingham	Christopher	Juwi	30-Nov letter Email and attached	07-Jan-19 Email
Koopman	Deidre	Department of Rural Development and Land Reform	30-Nov letter Email and attached	07-Jan-19 Email
Nkoane	Cynthia	Department of Rural Development and Land Reform	30-Nov letter	07-Jan-19 Email