

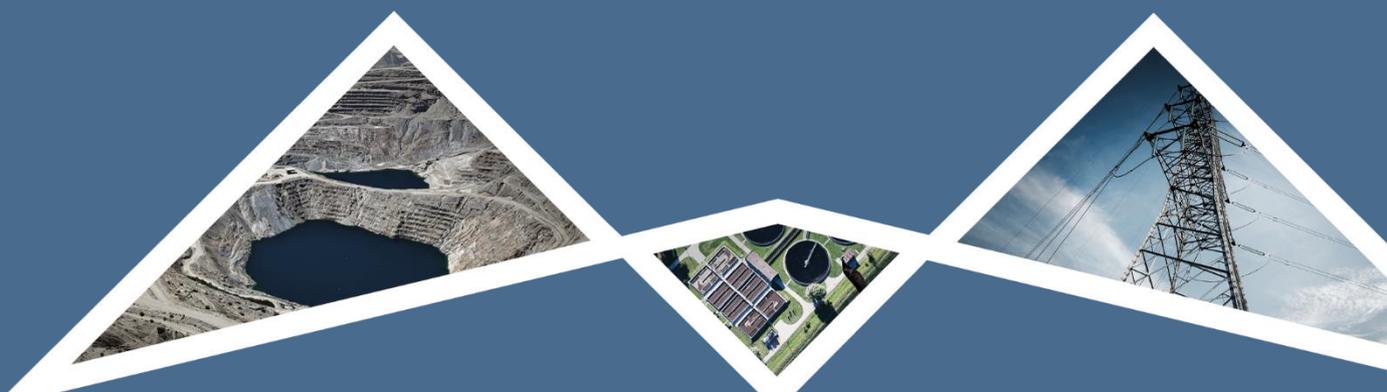


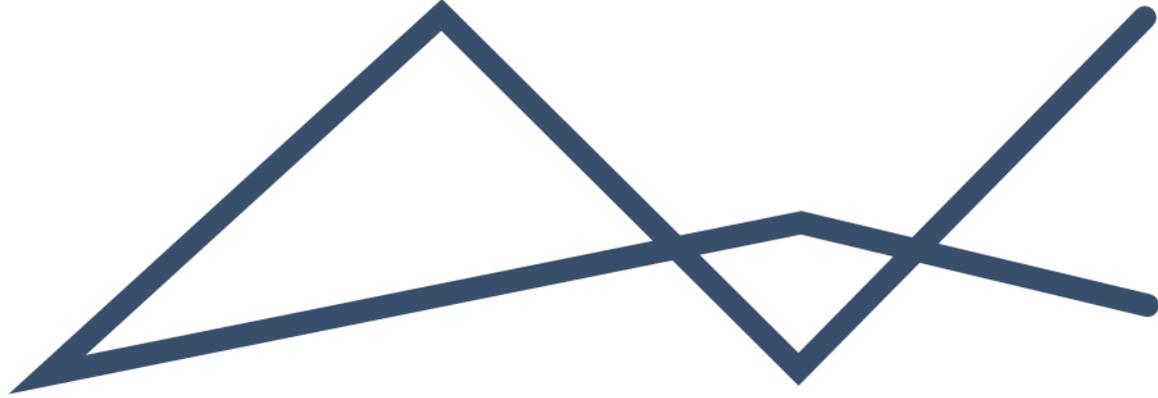
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PUBLIC PARTICIPATION REPORT

GLENCORE LYDENBURG SOLAR PHOTOVOLTAIC FACILITY





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Table of Contents

1	Introduction	1
2	Objectives of the Public Participation.....	1
2.1	Legal Compliance.....	2
3	Identification Of Interested And Affected Parties (I&APs)	2
3.1	List of Organs Of State Identified And Notified.....	3
3.2	List of Other Key I&APs Identified and Notified.....	3
4	Notification of Interested and Affected Parties.....	2
4.1	Initial Notification of Key I&APs	2
4.1.1	Faxes and Emails	2
4.1.2	Site Notice Placement.....	2
4.1.3	Newspaper Advertisement	2
4.2	Notification of Interested and Affected Parties of the Scoping Report Availability	3
4.3	Summary of Public Participation Opportunities	3
5	Record of Issues Raised.....	3
6	Conclusions and Recommendations	4

List of Tables

Table 1: Opportunities Provided for Public Participation	3
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Appendices

Appendix C1: Interested and Affected Parties Database

Appendix C2: Initial Notification Letter

Appendix C3: Site Notice Placement

Appendix C4: Newspaper Advertisement

Appendix C5: Table of Correspondence

Appendix C6: Correspondence Document



Abbreviation List:

DARDLEA	Department of Agriculture, Rural Development, Land & Environmental Affairs
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
I&AP	Interested and Affected Party
MTPA	Mpumalanga Tourism and Parks Agency
NEMA	National Environmental Management Act
NWA	National Water Act
PPP	Public Participation Process
PPR	Public Participation Report
PV	Photovoltaic
SAHRA	South African Heritage Resources Agency
WUL	Water Use License



1 INTRODUCTION

Glencore Operations South Africa (Pty) Ltd (hereafter referred to as the applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation processes (including the statutory public participation), and to compile and submit the required documentation in support of application for:

- Environmental Authorisation (EA) in accordance with the NEMA- Listed activity/ies:
 - Listing Notice 1 (GNR 983): Activity 11 and 14.
 - Listing Notice 2 (GNR 984): Activity 1 and 15.
 - Listing Notice 3 (GN 985): Activity 12 and 14.
- Water Use Licence (WUL) in accordance with the National Water Act – NWA (Act 36 of 1998) - Listed activity/ies: Section 21 (c) and Section 21 (i).

Additional listed activities and/or water uses may be identified during the process.

The applicant wishes to develop a Solar Photovoltaic (PV) Energy Generation Facility at the Lydenberg Smelter. The generation capacity will be up to 200 megawatts. The electricity generated from the facility will be used at the Lydenburg smelter or will be wheeled to other Glencore operations. Other possible infrastructure will include an on-site substation / switching station, access roads, battery energy storage system and an 88kV power line.

The proposed project is located on Portion 143 of Farm 30 Potloodspruit, Portions 114, 457 and 471 of Farm 31 Townlands of Lydenburg, Portion 1 of Lydenburg Smelter Erf 6099, Lydenburg Smelter Erf 2540 and Lydenburg Smelter Erf 2541 within the Thaba Chweu Local Municipality, Mpumalanga. The site is located approximately 2km north of Lydenburg town central area. The centre point of the site is 25° 4'0.26"S; 30°28'9.47"E.

2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: "*The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement*". This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as..."*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*"¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The Public Participation Process (PPP) is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

During the Environmental Authorisation Process:

- Verify that their issues have been recorded;

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



- Comment on the findings of the environmental assessments; and
- Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This Public Participation Report (PPR) lists all verbal and written issues raised by I&APs during the call to register period from 23 November 2023 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

2.1 LEGAL COMPLIANCE

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely, the National Environmental Management Act (NEMA, Act No. 107 of 1998).

Adherence to the requirements of the above-mentioned Act will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirements for public participation referenced in the Act. The details of the Integrated PPP are provided below.

3 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area and Windeed searches to obtain the contact details of the surrounding landowners. The I&APs referred to in the PPR include:

- Pre-identified and registered landowners and surrounding landowners;



- Pre-identified and registered key stakeholders;
- Regulatory authorities;
- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and known landowners within the study area, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer to Appendix C1 for the Key Stakeholder/I&AP Database.

3.1 LIST OF ORGANS OF STATE IDENTIFIED AND NOTIFIED

The following key I&APs, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Airports Company South Africa
- Department of Agriculture, Land Reform and Rural Development
- Department of Agriculture, Land Reform and Rural Development and Environment
- Department of Agriculture, Rural Development, Land & Environmental Affairs: Mpumalanga Provincial Government (DARDLEA)
- Department of Forestry, Fisheries and the Environment
- Department of Mineral Resources and Energy
- Department of Mineral Resources and Energy: Mpumalanga
- Ehlanzeni District Municipality
- Eskom
- Mpumalanga Department of Co-operative Governance & Traditional Affairs
- Mpumalanga Department of Economic Development and Tourism
- Mpumalanga Department of Public Works, Roads and Transport
- Mpumalanga Department of Social Development
- Mpumalanga Economic Growth Agency
- Mpumalanga Provincial Heritage Resources Authority
- Mpumalanga Tourism and Parks Agency (MTPA)
- National Department of Water and Sanitation
- South African Civil Aviation Authority
- South African Heritage Resources Agency (SAHRA)
- Thaba Chweu Local Municipality
- Transnet

3.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Afgri
- Afgri Agri Services
- Birdlife South Africa
- Centre for Environmental Rights
- Council for Geoscience
- Endangered Wildlife Trust
- Greenpeace Africa
- Mount Anderson Water Reserve
- South African National Biodiversity Institute
- Transvaal Landbou Unie
- Wildlife and Environment Society of South Africa



- World Wildlife Fund

4 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

This section provides details on the notifications that were distributed as part of the consultation process to date.

4.1 INITIAL NOTIFICATION OF KEY I&APS

The PPP commenced on the 23rd of November 2023 with an initial call to register notification. Notification during this initial consultation was given in the manner described below.

4.1.1 FAXES AND EMAILS

Notification letters (in English, Afrikaans and Sepedi) were distributed to pre-identified I&APS through either faxes, and/or emails.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APs to assess/surmise what impact the development will have on them or on the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties;
- Details of the South African environmental legislation that must be adhered to;
- Contact details of the EAP.

Please refer to Appendix C2 for initial notification and proofs.

4.1.2 SITE NOTICE PLACEMENT

Six (6) A1 Correx site notices (in English, Afrikaans and Sepedi) and three (3) A3 posters were placed at nine locations along, and surrounding the perimeter of the proposed project study area on the 23rd of November 2023. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix C3 for proof of site notice and site notice distribution.

4.1.3 NEWSPAPER ADVERTISEMENT

Advertisements describing the proposed project and EIA process were placed in the Steelburger Newspaper (in English, Afrikaans and Sepedi) with circulation in the vicinity of the study area on the 23rd of November 2023. The newspaper adverts included the following information:



- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer Appendix C4 to for proof of adverts placed.

4.2 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF THE SCOPING REPORT AVAILABILITY

Notification (in English, Afrikaans and Sepedi) regarding the availability of the Draft Scoping Report for public review and comment will be provided to pre-identified and registered I&APs. The notifications will be distributed through either email, fax, and/or SMS where contact details are available. The notification will include details of where a hard copy of the report can be accessed, as well as contact details should I&APs require any assistance accessing information or require copies of the report.

The Draft Scoping Report and associated appendices will be available for public review and comment for a period of 30 days at the Lydenburg Public Library.

4.3 SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 1: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Initial Call to Register	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	23 November 2023
	Placement of site notices.	Six (6) A1 site notices and three (3) A3 posters (in English, Afrikaans and Sepedi) were placed around the study area (Nine placement locations).	23 November 2023
	Newspaper advertisement	Notice was placed in the Steelburger Newspaper (in English, Afrikaans and Sepedi)	23 November 2023

5 RECORD OF ISSUES RAISED

Comments on the proposed project were solicited from pre-identified and registered I&APs and key stakeholders. To date the following comments have been received:

- SAHRA request for an application to be made;



- Request that DARDLEA and MTPA be consulted throughout the process;
- Request for hard copy of the report;
- I&AP registrations;
- Acknowledgment from the Department of Agriculture, Land Reform & Rural Development of receipt of the initial notification;
- Job enquiries;
- Comments from the Department of Co-operative Governance & Traditional Affairs.

Please refer to Appendix C5 and Appendix C6 for comments or issues received.

6 CONCLUSIONS AND RECOMENDATIONS

The comments received during the initial call to register period to date were used to inform the compilation of this PPR. This report has been updated for submission to the competent authority, Mpumalanga Department of Agriculture, Rural Development, Land & Environmental Affairs, following the 30-day public participation period.



APPENDIX C1

INTERSTED AND AFFECTED PARTIES DATABASE

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



APPENDIX C2

INITIAL NOTIFICATION LETTER

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



APPENDIX C3

SITE NOTICE PLACEMENT



APPENDIX C4

NEWSPAPER ADVERTISEMENT



APPENDIX C5

TABLE OF CORRESPONDENCE



APPENDIX C6

CORRESPONDENCE DOCUMENT

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