

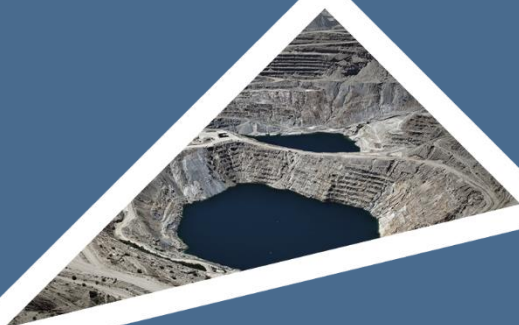


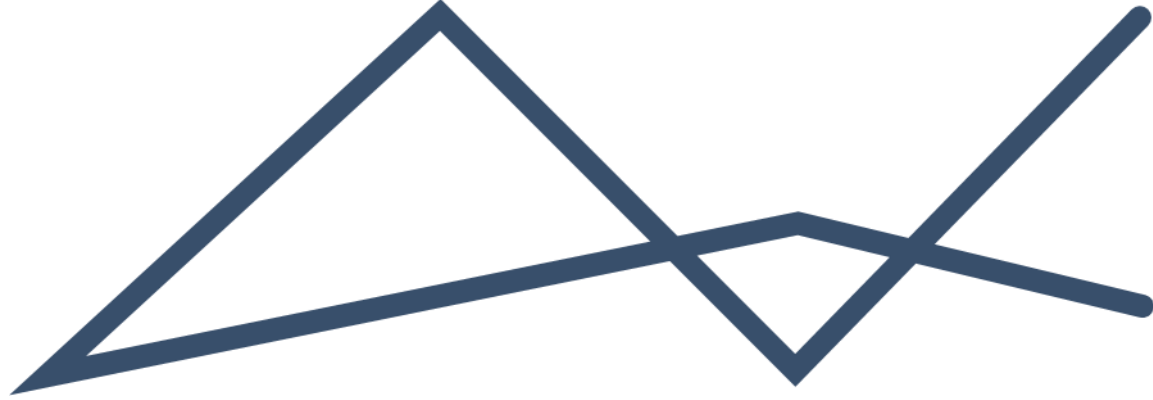
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PUBLIC PARTICIPATION REPORT

ZIBULO NORTH OVERHEAD POWERLINE





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Abbreviation List:

EAP	Environmental Assessment Practitioner
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
GA	General Authorisation
I&AP	Interested and Affected Party
NEMA	National Environmental Management Act
NWA	National Water Act
PPP	Public Participation Process
PPR	Public Participation Report
MTPA	Mpumalanga Tourism and Parks Agency
SAHRA	South African Heritage Resources Agency



1 INTRODUCTION

Anglo American Inyosi Coal (Pty) Ltd (the Applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required registration processes (including the statutory public participation), and to compile and submit the required documentation in support of:

- Registration in accordance with the Standard for the Development and Expansion of Power Lines and Substations within identified Geographical Areas (GNR 2313; 27 July 2022);
- General Authorisation (GA) registration in accordance with the National Water Act – NWA (Act 36 of 1998):
 - Section 21(c) and Section 21(i) water uses.

Zibulo North Shaft requires a 20MVA electricity supply for the mining operations by 2025. The following assets will be established for the supply:

- A new Zibulo North Shaft 132/11kV 2x20MVA Substation for the Zibulo North Shaft Point of Supply (POS). 2x20MVA TRFR's will be installed in phase 1 with an open TRFR bay for the installation of the third TRFR in 2032 should it be required.
- Establish 132kV Feeder Bay at the existing Cologne Substation.
- Build 7km (Option 1 & 2) Kingbird 132kV line from Cologne Substation to Zibulo North Shaft Substation.
- Establish 132kV Feeder Bay at the existing Modiri Substation.
- Build 10.5km (option 1) or 15km (option 2) Kingbird 132kV line from Modiri Substation to the Zibulo North Shaft Substation. The route options will be assessed during the course of this environmental registration process.

The proposed 125m powerline corridor is located on the following farms and portions:

ZONDAGSFONTEIN 253 IR

- Remaining Extent
- Portion 3
- Portion 5
- Portion 6
- Remaining Extent of Portion 7 (a portion of portion 2)
- Remaining Extent of Portion 8 (a portion of portion 2)
- Portion 9 (a portion of portion 2)
- Portion 12
- Portion 14 (a portion of portion 7)
- Portion 16 (a portion of portion 8)
- Portion 17 (a portion of portion 2)
- Portion 18

OLGA 35 IS

- Portion 1

SMITHFIELD 44 IS

- Portion 1



- Portion 2
- Portion 3
- Remaining Extent of Portion 5
- Portion 9 (a portion of portion 5)

RIETVLEI 64 IS

- Remaining Extent
- Remaining Extent of Portion 1
- Remaining Extent of Portion 4
- Portion 7 (a portion of portion 1)

LEEUFONTEIN 219 IR

- Remaining Extent
- Portion 13
- Portion 24
- Portion 35

Zibulo North Shaft entrance is located at 26° 8' 55.0" S, 28° 57' 10.32" E, approximately 6.6 km south of Kendal Power Station and approximately 14.5 km Southwest of Ogies.

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 Standard Registration Process:

- Verify that their issues have been recorded;
- 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

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



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 28 September 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 1 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:

- Department of Agriculture, Land Reform and Rural Development and Environment;
- Department of Agriculture, Land Reform and Rural Development;
- Department of Forestry, Fisheries and the Environment;
- Department of Mineral Resources and Energy;
- Department of Mineral Resources and Energy: Mpumalanga;
- Emalahleni Local Municipality;
- Eskom;
- Mpumalanga Tourism and Parks Agency (MTPA);
- National Department of Water and Sanitation;
- Nkangala District Municipality;
- South African Heritage Resources Agency (SAHRA); and
- Victor Khanye Local Municipality

3.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Directly Affected and Adjacent Landowners;
- Ward councillors;
- Wear Control Equipment cc (J J Potgieter Boerdery);
- Farm House Holdings (Pty) Ltd;
- (J J P) Ged 16 (van gedeelte 2) van Vlakvarkfontein 213 (Pty) Ltd;
- Anderiesa Wildboerdery (Pty) Ltd;
- Centre for Environmental Rights;
- Conserve Global;
- Copperzone 139 (Pty) Ltd;
- Endangered Wildlife Trust;
- Eskom Holdings (Pty) Ltd;
- Greenpeace Africa;
- J J van Rensburg en Seuns cc;
- Keaton Mining (Pty) Ltd (Wescoal (Pty) Ltd);
- Khutala Colliery;
- Ntshovelo Mining Resources (Pty) Ltd (Mbuyelo Investment Holdings (Pty) Ltd);
- Portion 11 & 12 Straffontein Farming (Pty) Ltd;
- Rirhandzu Colliery (Pty) Ltd (Mbuyelo Investment Holdings (Pty) Ltd);
- Rooibult Trust;
- Shanduka Coal (Pty) Ltd (Izimbiwa Coal (Pty) Ltd);
- Simon Lodewyk Duvenage (Eie Besigheid Boerdery);
- T B T Boerdery (Pty) Ltd;
- Thungela;
- Torero Investments 1 (Pty) Ltd;
- VV Mining (Pty) Ltd;



- Welbez Beleggings (Pty) Ltd;
- Yweraar Boerdery (Pty) Ltd;
- Ogies Business Forum;
- Ogies Development Initiative;
- Phola & Ogies Business Chamber;
- Phola Community;
- Phola Thusong Service Centre;
- Transvaal Landbou Unie;
- Wildlife and Environment Society of South Africa (WESSA);
- World Wildlife Fund;
- South African Civil Aviation Authority;
- South African National Biodiversity Institute (SANBI); and
- Transnet

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 AND REPORT AVAILABILITY

The PPP commenced on the 28th of September 2023 with an initial call to register and Availability of Environmental Sensitivity Report for public review and comment notification.

The Environmental Sensitivity Report and associated documentation has been made available for public review and comment for a period of 30 days in accordance with the Standard for the Development and Expansion of Power Lines and Substations within identified Geographical Areas (GNR 2313; 27 July 2022) at the Ogies Public Library.

Notification during this initial consultation was given in the manner described below.

4.1.1 REGISTERED MAIL, FAXES AND EMAILS

Notification letters (in English, Afrikaans and IsiZulu) were distributed to pre-identified I&APS through either registered mail, 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;
- Details on where to access the Environmental Sensitivity Report and associated documentation;
- Deadline for comments to be submitted; and
- Contact details of the EAP.

Please refer to Appendix 2 for initial notification and Environmental Sensitivity Report availability proof.



4.1.2 SITE NOTICE PLACEMENT

Ten (10) A1 Correx site notices (in English, Afrikaans and IsiZulu) were placed at ten locations along, and surrounding the perimeter of the proposed project study area on the 28th of September 2023. Two (2) A3 posters were placed at two locations, one was placed at the entrance of the Ogies Public Library, and one on the notice board at the Ogies Spar. The on-site notices and posters included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements;
- Details on where to access the Environmental Sensitivity Report and associated documentation;
- Deadline for comments to be submitted; and
- Relevant EIMS contact person for the project.

Hard copies of the notification letters were handed to interested individuals met on site who signed a register and were included in the I&AP database.

Please refer to Appendix 3 for proof of site notice and, site notice and poster distribution, and the I&AP register.

4.1.3 NEWSPAPER ADVERTISEMENT AND PROVINCIAL GAZETTE NOTICE

Advertisements describing the proposed project and EIA process were placed in the Witbank News newspaper (in English, Afrikaans and IsiZulu) with circulation in the vicinity of the study area on the 29th of September 2023. A provincial gazette notice was placed in the Mpumalanga Provincial Gazette (in English, Afrikaans and IsiZulu) on the 6th of October 2023. The newspaper advert and provincial gazette notice included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements;
- Details on where to access the Environmental Sensitivity Report and associated documentation;
- Deadline for comments to be submitted; and
- Relevant EIMS contact person for the project.

Please refer Appendix 4 to for proof of adverts and provincial gazette notice placed.

4.2 SITE VISIT WITH OFFICIALS

A site visit to the Zibulo Powerline Area was conducted on the 9th of October 2023. Attendees included delegates from the applicant, EIMS, Victor Khanye Local Municipality, Nkangala District Municipality, Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs, and the Mpumalanga Tourism & Parks Agency. All attendees that signed the register were included in the I&AP database.

Please refer to Appendix 5 for the site visit register.



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 and Availability of Environmental Sensitivity Report	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	28 September 2023
	Placement of site notices.	Ten A1 site notices (in English, Afrikaans and IsiZulu) around the study area (Ten placement locations).	28 September 2023
	Newspaper advertisement	Notice was placed in the Witbank News newspaper (in English, Afrikaans and IsiZulu)	29 September 2023
	Provincial Gazette Notice	Notice was placed in the Mpumalanga Provincial Gazette (in English, Afrikaans and IsiZulu)	6 October 2023
Environmental Sensitivity Report for public review and comment	Notification of landowners, occupiers, and other key I&APs.	Ogies Public Library	28 September 2023
Site visit with Officials	Delegates from EIMS and the applicant met with officials for a site visit to the Zibulo Powerline Area	M&H Store (Along District Road)	09 October 2023

5 SUMMARY OF COMMENTS RECEIVED

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:

- Request from SAHRA to create an online application;
- Confirmation that SAHRA have received the application;
- Request from the MTPA for a hard copy of the Environmental Sensitivity Report and associated documentation;
- I&AP registrations;



- Requests to participate in opportunities arising from the development;
- Submission of Curricula Vitae;
- Requests for CAD plans of the project's proposed infrastructure and for the applicant to apply to the DMRE and provide approval in terms of regulation 17.8 of the Mine Health and Safety Act prior to construction. A KML file of the powerline route was provided by EIMS and a request was made for an overlay map to be returned, no further response was received;
- Requests from Nkangala District Municipality to register as an I&AP and to conduct a site visit;
- Comments from the Nkangala District Municipality, following the site visit conducted on the 9th of October 2023, regarding measures to be considered during planning and implementation phases of the proposed project;
- Comments from the MTPA stating that the MTPA have no objections towards the proposed development;
- Comments from the Mpumalanga Department of Agriculture, Rural Development, Land & Environmental Affairs after reviewing the Environmental Sensitivity Report;
- Final decision comments from SAHRA regarding conditions for the proposed development that should be included in the Final Environmental Sensitivity Report and stating that the SAHRA Development Applications Unit has no objections to the proposed development.

Please refer to Appendix 6 and Appendix 7 for comments or issues received.

6 CONCLUSIONS AND RECOMENDATIONS

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



APPENDIX 1

INTERSTED AND AFFECTED PARTIES DATABASE



APPENDIX 2

INITIAL NOTIFICATION AND ENVIRONMENTAL SENSITIVITY REPORT AVAILABILITY PROOF



APPENDIX 3

SITE NOTICE PLACEMENT



APPENDIX 4

NEWSPAPER ADVERTISEMENT AND PROVINCIAL GAZETTE NOTICE



APPENDIX 5
SITE VISIT REGISTER



APPENDIX 6

TABLE OF CORRESPONDENCE



APPENDIX 7

CORRESPONDENCE DOCUMENT