



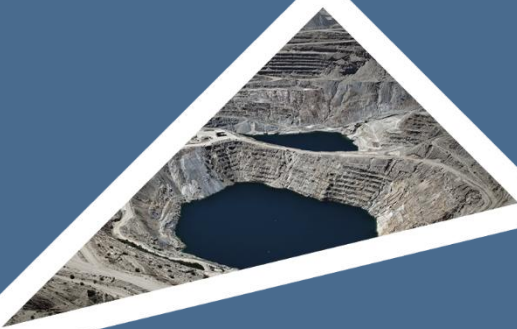
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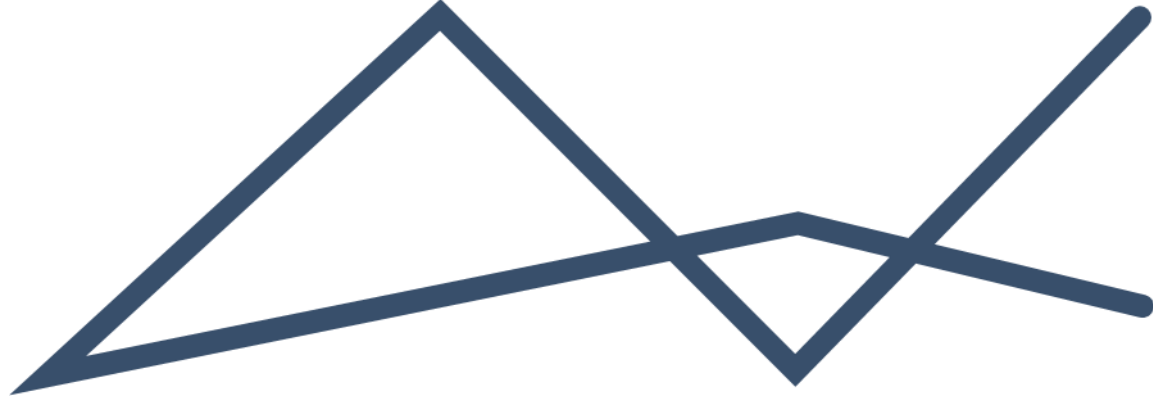
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## PUBLIC PARTICIPATION REPORT

12/3/386 EA APPLICATION:

MOTUOANE EXPLORATION RIGHT 386 APPLICATION, WITHIN  
VARIOUS FARMS IN MATJHABENG AND MOQHAKA LOCAL  
MUNICIPALITIES, LEJWELEPUTSWA AND FEZILE DABI DISTRICT  
MUNICIPALITIES, FREE STATE PROVINCE, SOUTH AFRICA





#### DOCUMENT DETAILS

**EIMS REFERENCE:** 1681

**DOCUMENT TITLE:** 12/3/386 EA APPLICATION:  
Motuoane Exploration Right 386 Application, Within Various Farms in Matjhabeng and Moqhaka Local Municipalities, Lejweleputswa and Fezile Dabi District Municipalities, Free State Province, South Africa – Public Participation Report

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#### REVISION AND AMENDMENTS

REVISION DATE:	REV #	DESCRIPTION
2025/04/23	ORIGINAL DOCUMENT	Draft for Internal Review
2025/04/25	REVISION 1	Final for Public Review



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## Acronyms

EA	Environmental Authorisation
ER	Exploration Right
EIMS	Environmental Impact Management Services
EAP	Environmental Assessment Practitioner
NEMA	National Environmental Management Act
EIA	Environmental Impact Assessment
GNR	Government Notice Regulation
TCP	Technical Cooperation Permits



ERA	Exploration Right Area
MPRDA	Mineral and Petroleum Resources Development Act
PPP	Public Participation Process
I&APs	Interested and Affected Parties
CSIR	Council for Scientific and Industrial Research
DALRRD	Department of Agriculture, Land Reform and Rural Development
DFFE	Department of Forestry, Fisheries and Environment
DWS	Department of Water and Sanitation
NERSA	National Energy Regulator of South Africa
SANDF	South African Defence Force
SAHRA	South African Heritage Resources Agency
SANRAL	South African National Roads Agency Ltd
ATNS	Air Traffic and Navigation Services
CSA	Conservation South Africa
MEJCON-SA	Mining and Environmental Justice Community Network of South Africa
MACUA	Mining Affected Communities United in Action
VEJA	Vaal Environmental Justice Alliance
WESSA	Wildlife and Environment Society of South Africa
PASA	Petroleum Agency South Africa
POPIA	Protection of Personal Information Act



# 1 INTRODUCTION

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

- An Environmental Authorisation (EA) in accordance with the National Environmental Management Act (Act 107 of 1998) (NEMA), Environmental Impact Assessment (EIA) Regulations, 2014 as amended for the following listed activity:
  - EIA Regulations, 2014 as amended GNR 983 Activity 21C; and
  - EIA Regulations, 2014 as amended GNR 984 Activity 18;
- Other NEMA EIA Regulations, 2014 as amended applicable listed activities are:
  - EIA Regulations, 2014 as amended GNR 983 Activity 27; and
  - EIA Regulations, 2014 as amended GNR 985 Activity 12
- Additional listed activities and/or water uses may be identified during the process.

The applicant proposes to explore all saleable gases including but not limited to Methane, Carbon Dioxide, Helium, and Nitrogen within Exploration Right (ER) 386. Due to the large area and complex exploration methodology, the ER will be required for an initial period of three years with the option to renew for three additional periods of two years resulting in a total of nine years. The ER application is a consolidation of Technical Cooperation Permits (TCP) 235 and 240 and Exploration Release Area (ERA) 341, approved under Section 79 of the Mineral and Petroleum Resources Development Act (Act 28 of 2002 – MPRDA, as amended). The proposed exploration right application (ER386) is located over an area of approximately 58 000 hectares (ha), covering various farm portions near the towns of Welkom, Virginia, Hennenman and Odendaalsrus, Free State Province. The furthest boundaries of ER386 are 28°13'28.95"S; 26°55'2.76"E in the South, 27°57'37.57"S; 26°48'49.15"E in the West, 27°59'13.57"S; 27°11'13.06"E in the East and 27°46'34.45"S; 26°57'44.05"E in the North, the central coordinates are approximately 27°58'23.27"S; 26°59'38.94"E.

Proposed activities include identifying and analysing existing gas-emitting boreholes, drilling and sampling new core wells, conducting seismic and/or magnetotelluric surveys, and clearing vegetation of approximately 50m x 50m for each drill pad. Up to eleven (11) target drilling areas are proposed, though the current program focuses on three wells, each well will be approximately 650m deep and a maximum width of 350mm, with steel-casing and cement barrier and plugged for environmental safety and to prevent contamination of groundwater. Seismic surveys, potentially employing Vibroseis or Accelerated Weight Drop techniques and/or magnetotellurics survey, will cover approximately 100km of transects within the ER, realigned as new data emerges. Collaboration with other large-scale projects such as renewable energy project developers within the ER will be necessary to address overlapping land use.

## 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*"<sup>1</sup>. 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:

- 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 is 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 the 14<sup>th</sup> of March 2025 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

### 3 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.

## 4 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 were conducted 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.

### 4.1 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:

- |  |  |
|--|--|
| • Council for Scientific and Industrial Research (CSIR)  | • Free State Development Corporation   |
| • Department of Mineral Resources and Energy: Free State   | • Free State Heritage Resources Authority  |
| • Fezile Dabi District Municipality  | • Free State Provincial Shared Services Centre (PSSC) Offices                    |
| • Free State Department of Agriculture & Rural Development   | • Lejweleputswa Development Agency   |
| • Free State Department of Cooperative Governance and Traditional Affairs                          | • Lejweleputswa District Municipality  |
| • Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs | • Matjhabeng Local Municipality  |
| • Free State Department of Mineral Resources and Energy  | • National Department of Agriculture, Land Reform and Rural Development (DALRRD) |
| • Free State Department of Police, Roads and Transport   | • National Department of Forestry, Fisheries and Environment (DFFE)              |
| • Free State Department of Public Works and Infrastructure   | • National Department of Transport   |
| • Free State Department of Water and Sanitation  | • National Department of Water and Sanitation (DWS)                              |
|  | • National Energy Regulator of South Africa (NERSA)                              |
|  | • National House of Traditional Leaders  |
|  | • Petroleum Agency SA  |



- PetroSA
- Sedibeng Water
- South African Civil Aviation Authority (SACAA)
- South African Defence Force (SANDF)
- South African Heritage Resources Agency (SAHRA)
- South African National Biodiversity Institute
- South African National Roads Agency Ltd (SANRAL)
- South African Radio Astronomy Observatory
- Telkom SA SOC LTD
- Transnet SOC LTD
- Vaal Central Water

## 4.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Affected Landowners
- Afgri
- Afgri Agri Services
- African Conservation Trust
- African Carbon Energy
- AfriForum
- Agri Free State
- Agri SA
- Agri South Africa
- Air Traffic and Navigation Services (ATNS)
- Birdlife South Africa
- Botanical Society
- Centre for Environmental Rights
- Conservation South Africa (CSA)
- Council of Geoscience
- Earth Life Africa
- Endangered Wildlife Trust
- Federation for a Sustainable Environment
- FrackFree South Africa
- Free State Wetland Forum
- GroundWork SA
- GUBICO
- Harmony Gold Mining Company
- Hennenman Farming Forum?
- Lebone Solar Farm (PTY) LTD
- Matjhabeng Ratepayers Association
- Mining and Environmental Justice Community Network of South Africa (MEJCON-SA)
- Mining Affected Communities United in Action (MACUA)
- Mulilo Energy Holdings (PTY) LTD
- Natural Justice
- Savannah Environmental (PTY) LTD
- Tara Wildlife SA
- Vaal Environmental Justice Alliance (VEJA)
- Vrystaat Landbou/ Free State Agriculture
- Warburtons Attorneys
- WESSA
- WILD TRUST



## 5 INITIAL NOTIFICATION OF KEY I&APS

The PPP commenced on the 14<sup>th</sup> of March 2025 with an initial call to register notification. Notification during this initial consultation was given in the manner described below.

### 5.1.1 EMAILS, REGISTERED MAIL AND FAXES

Notification letters (in English, Afrikaans and Sesotho) were distributed to pre-identified I&APS through either faxes, SMSs, registered mail, and/or emails on the 14<sup>th</sup> of March 2025.

The notification documents included the following information:

- Authorisations required;
- Sufficient detail of the proposed development to enable I&APS to assess/surmise what impact the development will have on them or 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; and
- Contact details of the EAP.

Please refer to **Appendix 2** for initial notification and proofs.

### 5.1.2 NEWSPAPER AND GAZETTE ADVERTISEMENTS

Advertisements (in English, Afrikaans and Sesotho) describing the proposed project and Environmental Impact Assessment process were placed in the Vista Newspaper with circulation in the vicinity of the study area on the 20<sup>th</sup> of March 2025. The Gazette Notice was published in the National Gazette on the 11<sup>th</sup> of April 2025. The newspaper and Gazette Notice 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 to **Appendix 3** for proof of the newspaper advert and gazette notice placed.

### 5.1.3 SITE NOTICE PLACEMENT

Ninety-nine (99) A1 correx board site notices and eight (8) posters (in English, Afrikaans and Sesotho) were placed at 107 locations around the proposed project study area between the 17<sup>th</sup> and 20<sup>th</sup> of March 2025. Following revisions to the project map, the site notice map was updated accordingly. Fifty (50) A1 correx board site notices will be replaced with the revised version of the map at 50 locations within the proposed project study area. 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; and
- Relevant EIMS contact person for the project.

Please refer to **Appendix 4** for proof of site notice and site notice distribution. Proof of revised site notices will be provided in the Final Scoping Report to be submitted to the authorities and also in the Draft EIR Phase which will be made available to I&APs.

## 5.2 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF SCOPING REPORT AVAILABILITY

Notifications in English, Afrikaans and Sesotho regarding the availability of the Scoping Report for public review and comment were provided to pre-identified and registered I&APs. The notifications were distributed through either email, fax, and/or SMS, where contact details were available. The notifications included details regarding where hard copies and electronic copies of the report can be accessed and contact details should I&APs require assistance accessing the information or require copies of the report.

A hard copy of the Scoping Report has been made available at three (3) Public Libraries, namely, Welkom Public Library, Virginia Public Library and Phomolong Public Library.

## 6 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: Summary of Public Participation Opportunities

Action	Description	Publication/Place	Date
<b>Initial Call to Register</b>	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, SMSs and/or post.	14 March 2025
	Placement of site notices.	Ninety-nine (99) A1 correx board site notices and eighty (8) posters (in English, Afrikaans, Sesotho) were placed at 107 locations along the proposed project study area.	17 - 20 March 2025
	Newspaper advertisement and Gazette Notice.	Advertisements (in English, Afrikaans, Sesotho) describing the proposed project and EIA process were placed in the Vista Newspaper. The Gazette Notice was published in the National Gazette.	20 March 2025 (Newspaper)  11 April 2025 (Gazette Notice)



Action	Description	Publication/Place	Date
Availability of Scoping Report for public review	Placement of hard copy Scoping Report.	One (1) hard copy of the report was submitted to three (3) Public Libraries, namely, Welkom Public Library, Virginia Public Library and Phomolong Public Library where members of the public can access the report.	-
	Placement of Scoping Report electronic copy.	An electronic copy of the report was placed on the EIMS website.	-

## 7 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:

- South African Heritage Resources Agency request for an application to made.
- AgriSA request to redirect the initial notification to the relevant person.
- I&APs requesting to register for the project.
- South African National Roads Agency (SANRAL) request to redirect the initial notification to the relevant region/department.
- I&APs requesting to register for the project.
- I&APs requesting to register for the project.
- Request for shapefiles, maps, and KMZ files for the proposed project.
- Transnet wayleave application outcome - Transnet Pipelines not affected by the proposed project.
- Request for information on the impact of the proposed project on specific farm portions.
- Goldfields Community Forum request to engage directly with Motuoane Community Liaison Officer.
- Moolman, Nel & Pienaar request to be removed from the I&AP database.
- South African Civil Aviation Authority (SACAA) request to redirect the initial notification to the relevant region/department.
- Wesboerdery (Pty) Ltd request for information with regards to proposed project and how their farms may be impacted.

All comments and/or queries received to date are included in this report and presented in **Appendix 5** Please refer to Error! Reference source not found. for proof of correspondence.

## 8 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 will be updated for submission to the administrative authority, the Petroleum Agency South Africa (PASA) following the 30-day public participation period.



## 9 APPENDICES

### **Appendix 1: IAP 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](mailto:popia@eims.co.za)

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## **Appendix 2: Initial Notification Proof**

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](mailto:popia@eims.co.za)

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### **Appendix 3: Newspaper and Gazette Notice Proof**



## **Appendix 4: Site Notice Proof**



## Appendix 5: Table of Correspondence