

**MINUTES OF THE PUBLIC MEETING:
RETROSPECTIVE PART 2 ENVIRONMENTAL AUTHORISATION
AMENDMENT APPLICATION FOR THE 75 MW HUMANSRUS
PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (REFERRED TO AS
LESEDI POWER COMPANY)**

REFERENCE NUMBER: 12/12/20/1903/1/AM2

MEETING DATE	13 June 2023
VENUE	Refentse Primary School, Groenwater Community
TIME	17:00 - 19:00

Meeting Attendees

Name and Surname	Position	Company
Lizette Kloppers	Environmental Assessment Practitioner (EAP)	EARTHnSKY Environmental
Rachelle Botha	Environmental Assessment Practitioner (EAP)	EARTHnSKY Environmental
Odwa Nkcitakalo	Applicant representative	Lesedi Power Company
Thuso Jones	Applicant representative	Lesedi Power Company
Mandy Momberg	Applicant representative	Unisam Environmental

These meeting minutes serve as a summary of the Public Meeting, covering key issues raised and discussed. Please note that the meeting notes provided below relate to the slides presented during the meeting. Due to loadshedding, the slides could not be projected. Hard copies of the slides were provided to participants.

Mr Thuso Jones (Applicant representative) translated the presentation of each slide into Setswana.

Slide	Notes
1	<p>Rachelle opened the meeting and thanked everybody in attendance for attending the meeting. Comment sheets were circulated for formal commenting to be submitted and the attendance register was signed by attendees.</p> <p>The PowerPoint presentation (slideshow) could not be projected due to loadshedding; however, hard copies of the presentation were provided to the attendees.</p> <p>Attendees were asked to reserve questions for the end of the presentation, if possible.</p>
2	<p>Meeting Agenda Rachelle presented the agenda for the meeting.</p>



Slide	Notes
3	<p>Opening of meeting and admin Rachelle opened the meeting. Admin arrangements were highlighted for the meeting. Attendees were asked to state their names prior to speaking so that record could be taken (this was, however, not done and reference is therefore made in these minutes to Attendees 1, 2, 3 onwards).</p>
4	<p>Purpose of the meeting Rachelle explained that the meeting was undertaken in terms of Chapter 6 Public Participation Regulations 39 - 44 of the NEMA EIA Regulations 2014 for a Part 2 EA Amendment Application. She further explained that the process was to inform I&APs and relevant stakeholders on the proposed Part 2 EA Amendment Application.</p> <p>Rachelle introduced the EAPs and Applicant representatives present.</p>
5, 6	<p>Project Overview Rachelle introduced Oakleaf Investment Holdings 79 (RF) (Pty) Ltd as the Applicant and the proposed project as the Part 2 Environmental Authorisation Amendment Application for the 75 MW Humansrus Photovoltaic (PV1) Solar Power Facility (referred to as Lesedi Power Facility). She indicated the locality of the proposed powerline and stated that the project is located on the Remainder of Farm 469, Hay Rd. She also indicated that the application is a Part 2 Environmental Authorisation Amendment Application. EARTHnSKY Environmental was introduced as the EAP company. Rachelle also stated that the Application is an amendment of an existing and valid Environmental Authorisation.</p>
7	<p>Rachelle further stated that the construction of the Lesedi Power facility started in November 2012. She also highlighted the validity period for the initial Environmental Authorisation (August 2011 – August 2014), which she explained to be the period by which construction was to commence. Full operations began 21 May 2014 with an operational lifespan of around 25 years. She further stated that the facility generates up to 75 MW direct current of electricity which is fed into the national power grid.</p> <p>Attendee 1 requested that translation be done (from English to Setswana and Setswana to English). Mr Thuso Jones (Applicant representative) was appointed to do a slide-by-slide translation.</p>
8	<p>Legislative context Rachelle indicated the two environmental laws that are applicable to the project, namely:</p> <ul style="list-style-type: none"> • National Environmental Management Act (Act No 107 of 1998), as amended and the Environmental Impact Assessment (EIA) Regulations, as amended. • National Environmental Management Waste Act (NEM:WA) (Act No 59 of 2008) and the Norms and Standards for the Storage of Waste (Government Notice No. 926 of 29 November 2013) for temporary storage of PV waste modules. <p>Rachelle further stated that further details pertaining to the temporary storage of the solar modules would be provided later in the presentation.</p> <p>Attendee 2 asked if the community is just being told or do they have a right to reply or comment? Rachelle responded that the community is allowed to comment and the comments will be noted and responded to formally. She also added that the current platform was for the raising of concerns.</p> <p>Rachelle further emphasised that there are no new listed activities for the project that are being applied for. The Application is merely to align some of the conditions of the Environmental Authorisation.</p>



Slide	Notes
	Attendee 3 asked, if no major changes are being made why do they need to be informed? Rachelle responded that it is a legislative mandate that the Applicant engages the community of all and any changes made.
9	<p>Legislative context - process overview Rachelle discussed the process overview from a legislative context.</p> <ul style="list-style-type: none"> • Pre-Application meeting with CA • Specialist Assessments • Compile Draft EIR and OEMP as per Section 32 • Public Participation Process (30 days) – This was indicated as the current step of the process • Final EIR and OEMP submit to CA (90 days) • Decision on the Amendment Application by CA (107 days) • Notify I&APs on Decision on the Amendment Application by CA <p>Attendee 4 asked that Thuso translates everything which is said by Rachelle in English to Setswana not only the main points.</p>
10 - 15	<p>Public Participation Process; EA Amendment Application History; and Current Environmental Authorisation</p> <p>Public Participation process and EA Amendment Application History briefly discussed.</p>
16 - 18	<p>Amendments context holder details Rachelle outlined and explained the amendments that are being applied for, namely:</p> <ol style="list-style-type: none"> 1. Confirmation of the change of the contact person for Oakleaf Investment Holdings 79 (RF) (Pty) Ltd. (Trading as Lesedi Power Company (Pty) Ltd.). She further reiterated that this is a minor amendment that will have no impact relevance on the plant operations. <p>Attendee 5 asked who the contact person was before and who is it going to be now? Rachelle answered that the previous contact person was Intekon Energy (Mr Paul Warmeant) and this needs to change to Thigesh who is the current CEO for Oakleaf Investment Holdings 79 (RF) (Pty) Ltd (Trading as Lesedi Power Company (Pty) Ltd.). This is so that all correspondence with the Department can be directed to the current CEO who is the person in charge of compliance at the facility.</p> <ol style="list-style-type: none"> 2. To amend the size and location of the substation, and indicate that the substation area comprises a control room, external 132 kV transformers, electric switchgear, capacitor banks and is fenced for security and safety. <p>Rachelle explained that a substation was part of the original Application, but now an amendment is for changes in the size and location of the substation and associated infrastructure.</p> <p>Attendee 6 asked if the substation is being moved or what exactly?</p> <p>Rachelle responded that as part of the original Environmental Impact Assessment and Application process, many possible locations and sizes were proposed for the substation during the design phase. When the substation was built it was built in a different location with a bigger footprint to accommodate additional infrastructure. The Environmental Authorisation therefore needs to be aligned with the current substation</p>



Slide	Notes
	<p>location (as-built location). Furthermore, the location of the substation was chosen such that it is easier to connect to the national electrical grid supply and NERSA added additional requirements which impacted upon the required size of the substation (additional capacitor banks had to be added).</p> <p>Attendee 7 asked if these changes have been made or are yet to made? Rachelle responded that the changes were effected during construction in 2014.</p> <p>Attendee 7 further asked why they are only being informed now. Rachelle responded that the Environmental Authorisation Amendment Application was only recently lodged and that is why they are being informed now.</p> <p>Attendee 8 stated that these changes could have affected the community, why are they only being involved now? Rachelle responded that the substation was authorised in the initial application, however, now only the location and size have changed.</p> <p>Attendee 8 further stated that “the initial application was approved. Then changes were made without informing them, why change now? What does the law say? Must they be informed before the changes?”. Attendee 9 questions as to “why it took so long? What is in the initial EIA? The environmental impact of the initial EIA? More dangerous things could have happened because of the changes”.</p> <p>Attendee 9 asked “why the correct location was not used in the first EIA? Why are they only being involved now? The community does not benefit from changes so why are they being involved if they do not benefit? They are not welcomed at the plant”.</p> <p>Mandy responded that in the initial planning in 2010 engagements were conducted with the community. In the preliminary designs they planned to put the substation at a certain position. The Department approved the designs. Then at a later stage the Applicant realised that the substation could not be built in the planned position and built it in the current position. The plant became operational in 2014. Yearly audits were conducted at the facility and in 2017 it was noted by the auditor that the substation is in a different location and that the Environmental Authorisation is not referring to the location where the substation was built. This was flagged as a non-compliance and required action to be taken to correct. The first Environmental Authorisation amendment began in 2017, but was not completed because a General Authorisation Water Use License had to first be applied for with the Department of Water Affairs (application submitted in 2018). The General Authorisation Application was only approved in 2021 and then only could the current General Authorisation Amendment Application be lodged.</p> <p>Attendee 10 asked if the Department could be part of the public meeting because not everyone understands the process, and for the Government to explain some of the delays in the process. It was stated that the same issue occurred at the CSP (currently under construction). Literacy levels mean that some people have difficulties in understanding and are worried about the issues.</p> <p>Attendee 11 lamented that they have no access to the site. Thuso responded that when they go to the plant, they must ask for Thuso/Odwa, they will be called.</p>



Slide	Notes
	<p>Another attendee stated that there are a number of instances where they were chased away from the site. Thuso indicated that they were not aware that people were asked to leave the site.</p> <p>Attendee 13 asked why they were not consulted initially. Rachelle responded that the community that lived there in 2011 was consulted during the public participation process (a public meeting was held).</p> <p>Attendee 14 asked why there are following up now with the public? Rachelle responded that the changes do not trigger a listed activity, but an Environmental Authorisation Amendment Application must be done. As part of the Part 2 Environmental Authorisation amendment process a public participation process must be conducted to engage the community.</p> <p>Attendee 15 asked what could happen if they dispute? Rachelle responded that all disputes are valid, and the Department will be informed and they will consider the disputes.</p> <p>Another attendee stated that Lesedi must bring the Department. Another attendee state that perhaps if there was electricity and the presentation could have been completed then they could have commented.</p> <p>The meeting had degenerated at this point and attendees started leaving.</p> <p>An attendee further reiterated that the literacy levels of the people have resulted in a lack of understanding. Other attendees complained that they are not given services by Lesedi and there is no benefit in having the Lesedi PV Facility in their community.</p> <p>Another attendee suggested that a separate meeting be called so that issues are not mixed. A separate meeting was proposed for the community to discuss their grievances about Lesedi. Thuso indicated that he can be consulted at his office and that they are happy to arrange a meeting.</p> <p>The meeting was officially ended after degenerating. Further presentation of the intended information could not be completed.</p>

Appendixes

1. PowerPoint Presentation for the pre-application meeting

Minutes compiled by:

Lizette Kloppers

EARTHnSKY Environmental

EAPASA Reg. No. 2019/767

SACNASP Reg. No. 115453