

**PUBLIC PARTICIPATION PLAN
for**

**THE DEVELOPMENT OF A
RETAIL CENTRE ON
ERVEN 20, 21 AND 22 OF
PRESIDENT PARK X6,
EMALAHLENI (WITBANK)**

Report prepared for: Meronox (Pty) Ltd

Report dated: July 2020

Prepared by:
AdiEnvironmental cc
P.O. Box 647
Witbank
1035
Tel: 013 – 697 5021
Fax: 013 – 697 5021
E-mail: adie@adienvironmental.co.za



Author: R. van Rensburg and A. Erasmus

TABLE OF CONTENTS

SECTION 1: INTRODUCTION	2
SECTION 2: OBJECTIVES OF PUBLIC PARTICIPATION	3
SECTION 3: NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE PROPOSED DEVELOPMENT	4
3.1 Press advertising	4
3.2 On-site advertising	4
3.3 Informing I&APs via the internet	5
3.4 Distribution of Background Information Document	5
3.5 Public meeting	6
SECTION 4: IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES	6
4.1 Directly affected landowner	6
4.2 Directly adjacent and surrounding landowners/users	6
4.3 Residents of Del Judor X4	8
4.4 Identified local authorities/government departments and stakeholders	9
SECTION 5: NOTIFYING INTERESTED AND AFFECTED PARTIES OF REPORTS AND THE ENVIRONMENTAL AUTHORISATION	10
5.1 Availability of Draft Basic Assessment Report	10
5.2 Submission of Final Basic Assessment Report	10
5.3 Notifying interested and affected parties of the decision	10
SECTION 6: PROPOSED PROCESS TO BE FOLLOWED AND TIME SCHEDULE	12
SECTION 7: CONCLUSION	13

LIST OF TABLES

Table 1: List of surrounding landowners/users	7
Table 2: Residents of Del Judor X4	8
Table 3: List of Government Departments and Stakeholders	9

LIST OF FIGURES

Figure 1: Aerial view of locations identified for on-site notices	5
Figure 2: Surrounding landowners/users	7



SECTION 1: INTRODUCTION

The applicant, **Meronox (Pty) Ltd.**, intends to develop a retail centre on Erven 20, 21 and 22 of President Park X6, eMalahleni. The proposed site is located on the corner of Nita Avenue and Mandela Drive, adjacent to the Portuguese Club and opposite the Nissan dealership, eMalahleni (Figure 1).

The entire site is ±3 ha in extent, with the specific stand sizes as follows: Erf 20 (0.99ha), Erf 21 (0.98ha) and Erf 22 (1.08ha). The erven are zoned 'Business 2', which permits a number of land uses (e.g. shops, liquor outlets, laundromat, car wash, motor dealership, offices, etc.) in terms of the Emalahleni Land Use Scheme, 2020. The specific land uses to be established on site must still be finalized.

In order to obtain approval (authorization) for this project, a Basic Assessment process must be followed as per the Environmental Impact Assessment Regulations, 2014 (as amended). AdiEnvironmental cc. was appointed as independent environmental consultant to compile the necessary Basic Assessment Report.

Part of the above-mentioned process is to inform interested and affected parties (I&APs) of the proposed project and to obtain any issues of concern.

The National Department of Environment, Forestry and Fisheries published the "Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licences" on 5 June 2020 (hereafter referred to as the Directions). These Directions inform the process to be followed with regards to existing and new applications during the lockdown period.

According to these Directions, a Public Participation Plan must be submitted and agreed to by the Department before continuing with the Public Participation Process as indicated in Annexure 2 (P45):

New applications and pending applications are limited to the following:
- where a public participation process (PPP) as contemplated in Chapter 6 of the Environmental Impact Assessment Regulations, is required, subject to an agreed public participation plan (as required in Annexure 3); and/or
- where no PPP is required.

The Public Participation Plan must outline the process to be followed to ensure that all reasonable measures will be taken to identify and consult with potential I&APs during the Lockdown period.

AdiEnvironmental cc intends to commence with the Public Participation Process for the proposed development and has thus compiled this Public Participation Plan for approval by the Department.

The following information is provided in this plan:

- Objectives of the public participation process;
- Notifying Interested and Affected Parties (I&APs) of the proposed development;
- Identification of I&APs;
- Process to be followed and proposed time schedule.



SECTION 2: OBJECTIVES OF PUBLIC PARTICIPATION

The public participation process is defined in the Public Participation (PP) Guideline (2017) as *"a process by which potential interested and affected parties are given opportunity to comment on, or raise issues relevant to, the application."*

The aim/objective of public participation is thus to ensure that stakeholders and I&APs are provided with an opportunity to contribute inputs and engage in the process.

According to the PP Guideline (2017), some characteristics of a comprehensive PP process include providing role-players with clear, accurate and understandable information about the activity, allowing them to voice their support, concerns and questions regarding the project and encouraging transparency and accountability in decision-making.

Annexure 2 (Point 3) and Annexure 3 of the Directions stipulate the following in terms of the public participation process:

Annexure 2

At all times it must be ensured that reasonable opportunity is provided for public participation and that all administrative actions are reasonable. While the COVID-19 pandemic is a unique circumstance, the specific circumstances in each case must be considered in order to determine what will be reasonable. If in the circumstances of a particular case reasonable alternative methods to give notice to potential interested and affected parties are available, then the relevant competent authority can be approached for an agreement in this regard as provided for in regulation 41(2)(e) of the Environmental Impact Assessment Regulations, as per the table below.

Annexure 3

Proponents/ applicants, EAPs, specialists and professionals, where relevant, must:

*- ensure that all reasonable measures are taken to identify potential I&APs for purposes of conducting public participation on the application; and
- ensure that, as far as is reasonably possible, taking into account the specific aspects of the application-*

(a) information containing all relevant facts in respect of the application or proposed application is made available to potential I&APs; and

(b) participation by potential or registered I&APs has been facilitated in such a manner that all potential or registered I&APs are provided with a reasonable opportunity to comment on the application or proposed application.

In ensuring the above, applicants and EAPs, in addition to the methods contained in Chapter 6 of the EIA Regulations, or as part of reasonable alternative methods proposed in terms of regulation 41(2)(e) of the EIA Regulations, may make use of the following non-exhaustive list of methods: emails, websites, Zero Data Portals, Cloud Based Services, or similar platforms, direct telephone calls, virtual meetings, newspaper notices, radio advertisements, community representatives, distribution of notices at places that are accessible to potential I&APs.



Reports may not be made available at any public places or premises closed to the public, as contemplated in the Regulations. Hard copies or electronic versions of reports may be made accessible through any of the following non-exhaustive list of methods: websites, Zero Data Portals, community or traditional authorities, Cloud Based Services, provided that all registered I&APs have access to the reports.

The Public Participation Process was designed to satisfy the requirements of Chapter 6 and Appendix 1 of the EIA Regulations, 2014 (as amended), the PP Guideline, 2017 as well as the Directions.

SECTION 3: NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE PROPOSED DEVELOPMENT

3.1 Press advertising

A block advert (150mm x 95mm), according to the Environmental Impact Assessment Regulations, 2014 (as amended), will be placed in the local newspaper, Witbank News.

The Witbank News is distributed in eMalahleni, Middelburg, Ga-Nala, Ogies, Clewer, Blinkpan, Balmoral and surrounding areas with approximately 27 000 copies sold every Thursday.

3.2 On-site advertising

Notices according to the Environmental Impact Assessment Regulations, 2014 (as amended), will be displayed at the following locations:

1. On the corner of Nita Avenue and Mandela Drive (A1 size; Figure 1 – no. 1);
2. On the western boundary of the site, adjacent to Nita Avenue at the entrance to the site (A3 size; Figure 1 – no. 2);
3. On the northern boundary of the site, adjacent to Mandela Drive (A3 size; Figure 1 – no. 3);
4. At the Casa Portuguesa Restaurant located adjacent to the site (A3 size; Figure 1 – no. 4);
5. At the Fourways Café in Nita Avenue (A3);
6. On the notice board at the Witbank (eMalahleni) Public Library (A3).

A copy of the notice will also be loaded onto the company website: <http://adienvironmental.co.za>.





Figure 1: Aerial view of locations identified for on-site notices

3.3 Informing I&APs via the internet

A copy of the following documentation will be loaded onto the AdiEnvironmental cc. website (<http://adienvironmental.co.za>):

- ◆ Copy of the notice;
- ◆ Background Information Document (see Section 3.4).

This information will be available on the website for the duration of the basic assessment phase.

3.4 Distribution of Background Information Document

A Background Information Document (BID) will be compiled for the proposed development and will contain the following information:

- Project name and reference number;
- Applicant name;
- Legal requirements and list of activities to be authorised;
- Details of the EAP;
- Description of the public participation process;
- Responsibilities of I&APs;
- Date by which I&APs must register and forward comment;
- A link to the EAP website for an electronic copy of the Background Information Document and Basic Assessment Report;
- Project and property description;
- Locality map;
- Proposed layout plan.
- Short description of the process to be followed and proposed timeline;

- Comment sheet.

The BID will be forwarded via email to I&APs, government departments and other organisations listed in Tables 1, 2 and 3.

3.5 Public meeting

At this stage, it is not anticipated that a public meeting will be held. Should this change, the public meeting will be announced and all I&APs will be invited to the meeting.

SECTION 4: IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES

This section provides an indication of the Interested and Affected Parties (I&APs), government departments, municipalities and other organisations identified to date.

4.1 Directly affected landowner

The proposed site is located on Erven 20, 21 and 22 of President Park X6, eMalahleni (Figure 2). All 3 erven are registered in the name of Meronox (Pty) Ltd. Meronox (Pty) Ltd. is also the applicant for the proposed development.

The proposed site is currently vacant (except for a hockey rink/basketball court).

No outside party will thus be directly impacted by the proposed project.

4.2 Directly adjacent and surrounding landowners/users

The directly adjacent and surrounding land users were identified remotely through the use of Google Earth, Street View and by doing a drive-by.

As indicated in Figure 2, the land towards the north, east and southeast of the proposed site is vacant and belongs to the eMalahleni Local Municipality.

The land to the south and west of the proposed site is developed, with land uses including residential, business and institutional uses (Figure 2).



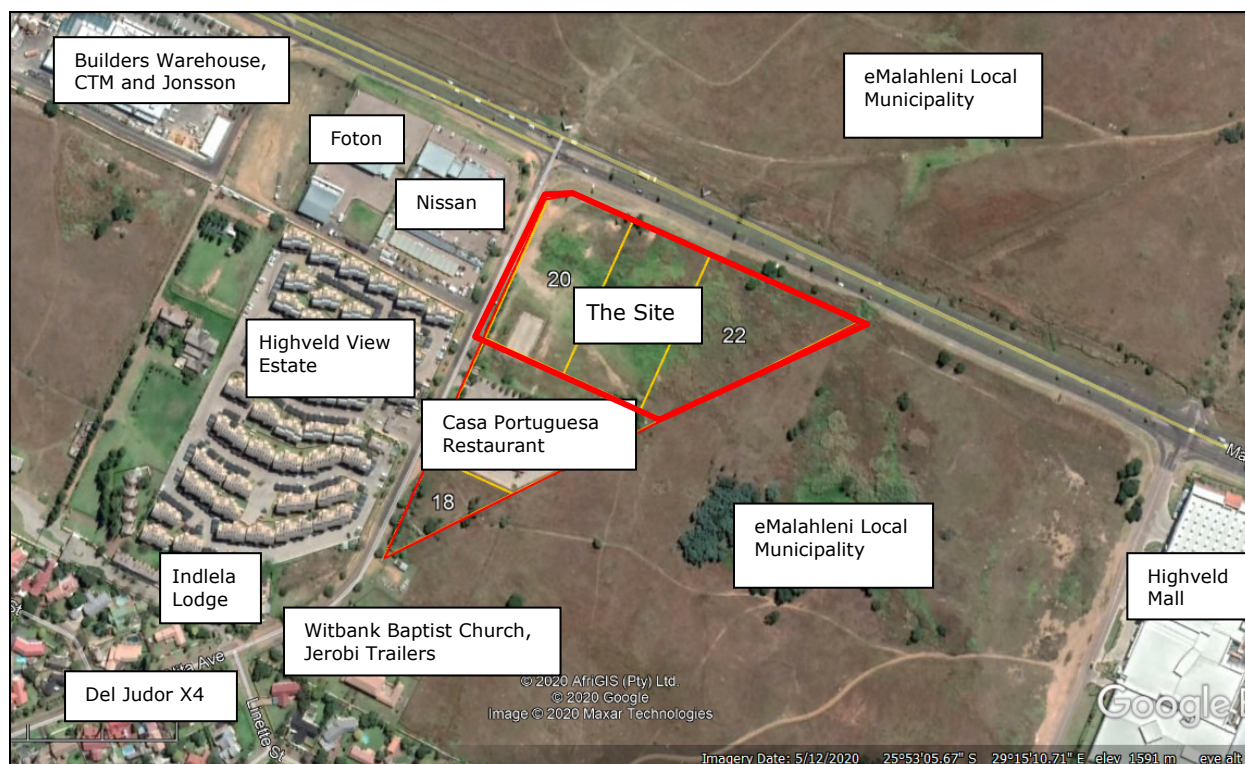


Figure 2: Surrounding landowners/users

In order to determine the registered owners of the identified properties, a Deeds Search was conducted via the WinDeed system of the Deeds Office of South Africa. The Deeds Search Template provides information pertaining to land ownership, size and land value of each of the properties.

Contact details were obtained using existing databases, the WinDeed system, information provided by the applicant, web searches and by doing a drive-by.

Table 1 provides an indication of the surrounding landowners/users identified to date and who will be consulted during the Basic Assessment process.

Table 1: List of surrounding landowners/users

SURROUNDING LANDOWNERS/USERS	
Property (Figure 2)	Landowner/Contact person
Directly adjacent landowners/users	
Erf 19 of President Park X6	Casa Portuguesa Restaurant: P Manarte
Erven 18 and 19 of President Park X6	Portuguese Club: M da Cunha
East of site	Witbank Nissan: M da Cunha
Portions 120, 121, 415 and 416 of Zeekoewater 311 JS	eMalahleni Local Municipality: E Nkabinde
Highveld View Estate	J Laas (CSI Rentals)
Other surrounding landowners/users	

SURROUNDING LANDOWNERS/USERS	
Portion 272 of Zeekoewater 311 JS	Witbank Baptist Church: Minister K Buchan-Smith
Portion 272 of Zeekoewater 311 JS	Jerobi Trailers: B Ellis
South west of site	Indlela Lodge: W Cillie
East of site	Highveld Mall: C Bendall
West of site	Foton
West of site	Builders Warehouse
West of site	CTM
West of site	Jonssons Workwear

Background Information Documents will be forwarded (via email) to the contact person(s) as indicated in Table 1. Should the need arise, the contact persons will be contacted telephonically to discuss the proposed development.

In addition, the surrounding landowners/users will be informed of the proposed development through the newspaper and on-site advertising process (see Section 3 for further details).

4.3 Residents of Del Judor X4

The following strategy will be employed to inform the residents of Del Judor X4 of the proposed retail centre development:

- The residents of Del Judor X4 will be informed through the newspaper and on-site advertising process. Background Information Documents will be emailed to residents who request to be registered.
- The proposed development and larger Del Judor X4 area are located in Ward 34. The ward councillor (Ms. Lizelle Steyn) will be contacted telephonically to discuss the proposed development and to obtain comment on behalf of the Del Judor X4 residents. In addition, a Background Information Document will be forwarded (via email) to Ms. Steyn.
- A Background Information Document will be emailed to the Del Judor X4 Neighbourhood Watch to inform them of the proposed development and to obtain comment.

Table 2: Residents of Del Judor X4

RESIDENTS OF DEL JUDOR X4	
Property	Contact person
Del Judor X4 Neighbourhood Watch	S White
Ward 34 councillor	L Steyn
Residents who register as I&APs	



4.4 Identified local authorities/government departments and stakeholders

Table 3 provides an indication to which local authorities/government departments and stakeholders Background Information Documents (BIDs) will be forwarded (via email) in order to inform them of the proposed project and to obtain their issues of concern.

Table 3: List of Government Departments and Stakeholders

GOVERNMENT DEPARTMENTS AND STAKEHOLDERS	
Organisation	Name
Government Departments	
Department of Agriculture, Forestry and Fisheries	F Mashabela
Department of Agriculture, Rural Development, Land and Environmental Affairs - Directorate: Land Use and Soil Management – Ermelo	J Venter
Department of Co-Operative Governance and Traditional Affairs	M Looek
Department of Mineral Resources	S Mathavela
Department of Rural Development and Land Reform (Commission on Restitution of Land Rights)	T Mkhonto
Department of Water and Sanitation	T Ndlhovu
Department of Agriculture, Rural Development, Land and Environmental Affairs	D Tswai
Other Organisations	
Eskom	T Ludere, L Motsisi
Mpumalanga Tourism and Parks Agency (MTPA)	K Narasoo
South African Civil Aviation Authority	K Mthapo
South African Heritage Resources Agency (SAHRA)	Website
South African National Roads Agency	K Schmid, I van der Linde, V Bota
Telkom	J Smit
Trans African Concessions (TRAC)	C Davis, R Nkosi
Local and District Municipalities	
eMalahleni Local Municipality	E Nkabinde
Nkangala District Municipality	S Links, A Thwala



SECTION 5: NOTIFYING INTERESTED AND AFFECTED PARTIES OF REPORTS AND THE ENVIRONMENTAL AUTHORISATION

5.1 Availability of Draft Basic Assessment Report

Comment received from I&APs, government departments and other stakeholders in terms of the advertising of the project (Section 3) and the distribution of the Background Information Document (Section 4) will be included and addressed in the Draft Basic Assessment Report.

The Draft Basic Assessment Report will be submitted to the Department of Agriculture, Rural Development, Land and Environmental Affairs for evaluation purposes. A hard copy of the document will also be forwarded to the following authorities for evaluation (30-day period):

- Department of Water and Sanitation;
- eMalahleni Local Municipality;
- Mpumalanga Tourism and Parks Agency.

A hard copy and electronic copy of the Draft Basic Assessment Report will be made available during the above-mentioned period to interested and affected parties and stakeholders consulted and/or registered as part of the Basic Assessment Process.

The hard copy will be made available at the Casa Portuguesa Restaurant and/or the Witbank (eMalahleni) Public Library. The electronic version will be made available on the company website (www.adienvironmental.co.za) and on compact disc (cd) (on request).

A copy of the document will also be loaded onto the South African Heritage Resources Agency website (SAHRIS) for their input.

The various departments, stakeholders and I&APs will be requested to forward any comments on the report to the consultant within the 30-day period provided. These comments will be included and addressed in Section 11 (Evaluation of Draft Basic Assessment Report) of the Final Basic Assessment Report.

5.2 Submission of Final Basic Assessment Report

An e-mail will be forwarded to the various departments, stakeholders and interested and affected parties informing them of the comments received and the submission of the Final BAR for decision making.

The Final BAR (incorporating comments from I&APs) will be submitted to the Department of Agriculture, Rural Development, Land and Environmental Affairs for final decision making.

5.3 Notifying interested and affected parties of the decision

On receipt of the Environmental Authorisation and Record of Decision, all identified I&APs will be informed by means of facsimile, e-mail or telephonically that the Environmental Authorisation with regards to the

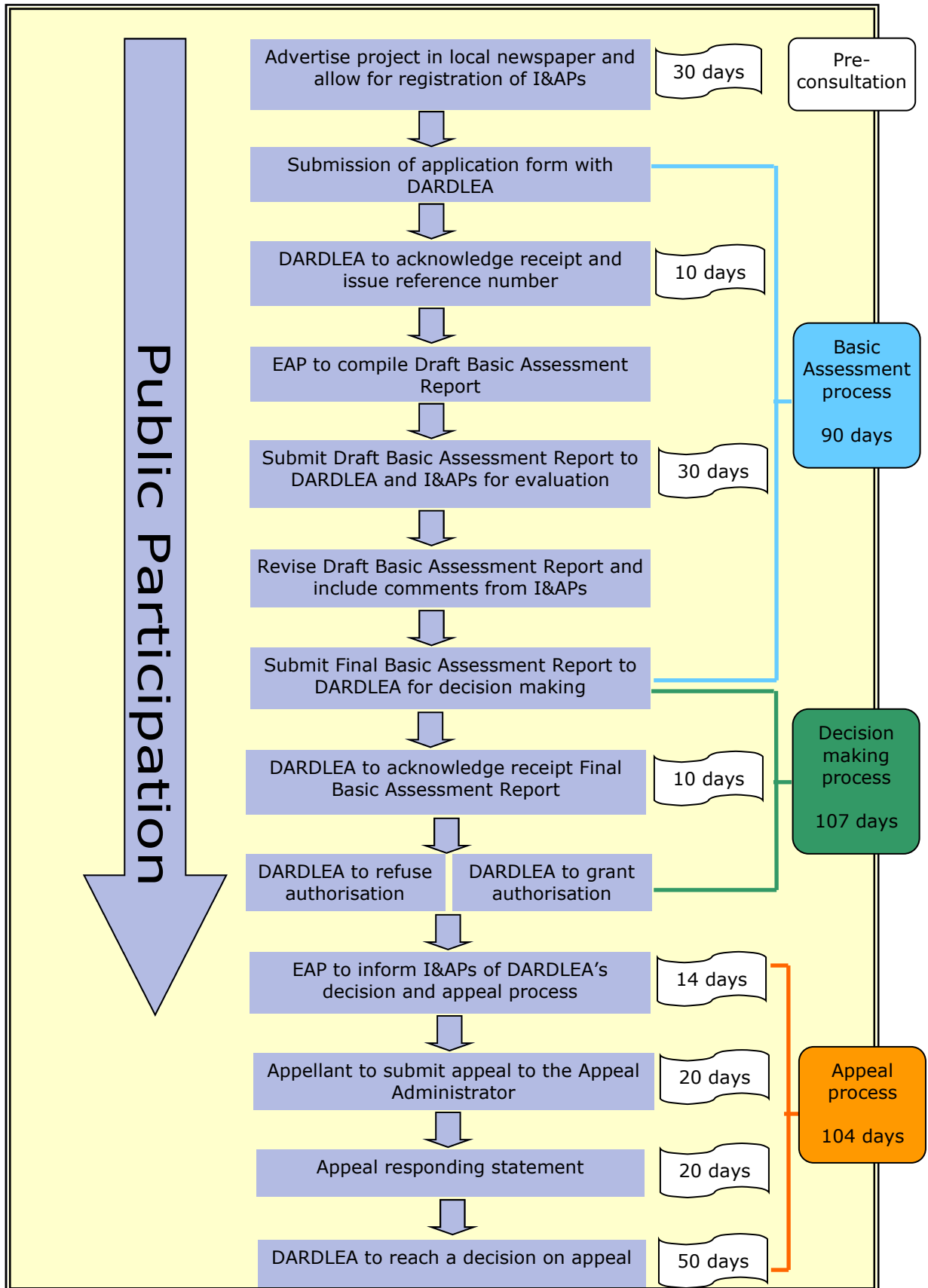


project was issued. Information w.r.t. the appeal procedure will also be provided.

An advertisement in this regard will be placed in the Witbank News on the first Thursday after receipt of the decision. The Environmental Authorisation and notice will also be loaded onto the company website.



SECTION 6: PROPOSED PROCESS TO BE FOLLOWED AND TIME SCHEDULE



PROPOSED TIME SCHEDULE FOR PUBLIC PARTICIPATION	
Advertise project in local newspaper and on site	17 July 2020
Allow for registration of I&APs (30 days) and obtain comment	17 July – 17 August 2020

SECTION 7: CONCLUSION

Based on this Public Participation Plan, AdiEnvironmental cc is of the opinion that:

- *All reasonable measures will be taken to identify potential I&APs;*
- *Information containing all relevant facts in respect of the application or proposed application will be made available to potential I&APs; and*
- *Participation by potential or registered I&APs will be facilitated in such a manner that all potential or registered I&APs are provided with a reasonable opportunity to comment on the application or proposed application.*

