

Appendix C9:
Public Participation Plan and Approval

PUBLIC PARTICIPATION PLAN

DEVELOPMENT OF THE FODERE TITANIUM ZERO WASTE RECOVERY SOLUTION NEAR KWA-GUQA, MPUMALANGA

November 2020

The restrictions enforced in terms of Government Gazette 43096 which placed the country in a national state of disaster limiting the movement of people to curb the spread of the COVID-19 virus has placed some limitations on the commencement and continuation of the public consultation as part of an EIA process. Considering these limitations, the following consultation process has been designed and will be implemented, on approval by the Department of Environment, Forestry and Fisheries (DEFF), to cater for the conducting of the public participation process which includes I&APs, the competent authority, directly impacted landowners/occupiers, adjacent landowners/occupiers, relevant Organs of State departments, Municipalities, ward councillors and other key stakeholders.

PROJECT DETAILS

Fodere Titanium has developed a disruptive technology for the economic extraction of valuable minerals from mining ore and waste materials. The process offers solutions for simultaneously extracting both vanadium and titanium oxides from slag materials. The technology developed by the Fodere Group is also demonstrated to extract aluminium as aluminium oxide (Al_2O_3), magnesium as magnesium oxide (MgO) and calcium as calcium sulphate/gypsum ($CaSO_4$). The project is known as the Fodere Titanium Zero Waste Recovery Solution.

Anglo African Metals (Pty) Ltd (the South African registered company of Fodere Titanium) has identified a suitable tailings/slag resource which can be processed using their developed technology at Highveld Steel industrial complex located between Balmoral and Emalahleni in Mpumalanga. A site for a small-scale industrial plant has been identified in close proximity to the slag stockpile. The site is located on Portion 4 of Farm No. 309. The development area is approximately 4 ha in extent and is contained within the Highveld Steel property. The site is accessible directly off the R104, from the N4 turnoff near Kwa-Guqa informal settlement.

The main infrastructure associated with the facility includes the following:

- » Acid plant area, where process chemicals are produced, stored and handled as required by the waste recovery process.
- » Substation and plant utility unit as interface and controlling unit for the electricity utilised by the plant during operation.
- » Slag stockpile.
- » Crushing plant.
- » Mill.
- » Product area for storage of the various products produced through the recovery process.
- » Reagent area, for the storage and handling of reactants utilised in the waste recovery process.
- » A security area.
- » Parking lot.

- » Admin and control room including offices and ablutions for staff.

PUBLIC PARTICIPATION PLAN

The public participation (PP) process will be undertaken in accordance with the requirements of Regulations 39 to 44 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended (GNR326) and the Department of Environmental Affairs Public Participation Guideline, 2017. The aim of the public participation process is primarily to ensure that:

- » information containing all relevant facts in respect of the proposed project is made available to potential stakeholders and I&APs;
- » participation by I&APs is facilitated in such a manner that all potential stakeholders and I&APs are provided with a reasonable opportunity to comment on the proposed project; and
- » comments received from potential stakeholders and I&APs are recorded and incorporated into the EIA process.

The traditional means and opportunities available for the undertaking of public participation will still be covered and implemented as part of this plan considering social distancing limitations. Alternative means of undertaking consultation have been designed and will be implemented by Savannah Environmental to ensure that I&APs are afforded sufficient opportunity to raise comments on the project through an interactive web-based platform readily available and accessible to any person illustrating interest in the project, and enables the public participation process to be undertaken in line with Regulations 41 to 44 of the EIA Regulations, 2014, as amended.

This online stakeholder engagement platform allows the EAP to visually present details regarding the projects and our consultation documentation, including project maps and plans, presentations and posters regarding the projects, and reports available for review. The use of online tools enables stakeholders and I&APs to explore the project-specific content in their own time and allows them to participate in a meaningful way in the consultation process. The online platform allows for instant feedback and comments to be submitted, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting. The online stakeholder engagement platform considers the limitations applied by the Disaster Management Act Regulations prohibiting the gathering of people, as well as limitations which certain I&APs may have in terms of access to computers and internet as well as access to public spaces not open for operation or which have restricted access.

The benefits of the online stakeholder engagement platform include:

- » Ability to create a dedicated project-specific online platform to enable easy access to project-related information.
- » Ability to reach a wider audience, allowing more widespread consultation for major infrastructure projects.
- » Allowing stakeholders and I&APs the opportunity to engage on a project without leaving their office or home.
- » Enabling stakeholders and I&APs to register their interest in a project (for inclusion on the project database), and automatically gaining access to comprehensive project documentation.
- » Enabling the EAP to maintain a complete database of I&APs through maintaining a record of persons accessing the online stakeholder consultation platform.

- » Enabling the EAP and stakeholders/I&APs to meet virtually.
- » Provides a resilient solution to a public consultation process.

Where I&APs do not have the applicable facilities i.e. access to internet, mobile phones, or computers, provision has been made to include these I&APs in the consultation process by consulting with the Ward Councillor, the ward committee members, community representatives and local community forum members. Direct in-person consultation will only take place in limited numbers and where sanitary conditions can be maintained at all times.

The PP plan, as set out in Table 1, has been drafted for the above-mentioned project to ensure compliance with the requirements of the EIA Regulations and that reasonable opportunity is provided to I&APs and that all administrative actions are reasonable. The schematic illustration overleaf provides an overview of the tools that are available to I&APs and stakeholders to access project information and interact with the public participation team to obtain project information and resolve any queries that may arise, and to meet the requirements for public participation. Proof of all public participation undertaken will be included in the Scoping & EIA reports.

The PP plan is submitted to the DEFF, for discussion and agreement before the PP process is undertaken for the proposed projects.

i. Stakeholder identification and register of I&APs

- Register as an I&AP on the online platform or via completion of a form (and submitted via email, post or fax) and provision of contact information, by responding to an advert, or sending a 'please call me' which will be responded to with a telephone call.
- State interest in the project.
- Receive all project related information via email, post or other appropriate means.

ii. Advertisements and notifications

- Advertisements, site notices and/or radio announcements and notifications to provide information and details on the projects and where to access project information.
- Notifications regarding the EIA process and availability of project reports for public review to be sent via email, post or SMS notifications.

iii. Public Involvement and consultation

- Distribution of a BID providing details on the project and how I&APs can become involved in the process.
- Submission of comments or queries via the online platform, email, fax or post to the PP team.
- Virtual presentations available via the online platform.
- Availability of project information via the online platform, email, post and telephonic platforms such as WhatsApp, and including telephonic discussions to provide description of information verbally.
- An opportunity for I&APs and stakeholders to request virtual meetings with the project team.

iv. Comment on the Scoping & EIA Reports

- Availability of the project reports via the online platform or other electronic means for 30-day comment period. Hard copies to be available only where sanitary conditions can be assured.
- Submission of comments via the online platform, email or post to the PP team.
- Comments recorded and responded to, as part of the process.

v. Identification and recording of comments

- Comments and Responses Report, including all comments received to be included in the reporting.
- Comments received prior to report release for review to be included in draft reports.
- Comments received during full process to be included within the final Report for decision-making.

Table 1: Public Participation Plan: Discussion of approach and methodology to meet the requirements of the Regulations

| Regulation | Approach & Methodology to meet requirements |
|--|---|
| <p>Regulation 40(1), Regulation 40(3) & Regulation 43 – provide all potential or registered interested and affected parties, including the competent authority, access to project related information, access to the Scoping & EIA reports which will be made available for a period of at least 30 days to submit comments on draft reports prior to submission of final reports for decision-making.</p> | <p><u>Notification of EIA process to be undertaken for application for Environmental Authorisation (EA) to be distributed using the following means:</u></p> <ul style="list-style-type: none"> » E-mail, post or fax » Dedicated project page on the Savannah Environmental online stakeholder engagement platform. » Process notices placed on site and at locations that are accessible to I&APs. » Advertisement in the printed media. <p><u>Notification of availability of reports and period for review using the following means:</u></p> <ul style="list-style-type: none"> » Newspaper adverts, including details of where the reports can be accessed and details of the Savannah Environmental website. » Radio announcements on local radio stations. » Notification letter (to be sent via email, fax or post) to registered I&APs. » Notifications to communities via Ward Councillors, ward committee members, identified and confirmed community representatives, and local community forum members. » SMS and/ or WhatsApp notifications where no other means are available. <p><u>Availability of reports for review and comment:</u></p> <ul style="list-style-type: none"> » Reports available on the Savannah Environmental website for download. » Electronic copies can be made available to parties via a secure Dropbox link (or other means) that will be emailed upon request for the documentation. » CDs to be posted, if requested. » Hard copy reports to be available only where appropriate sanitary conditions can be maintained. » Reports will be submitted to the DEFF using the DEFF online portal. » Reports will be submitted to Organs of State and commenting authorities via an agreed electronic platform (such as on CD, or via a secure Dropbox link or WeTransfer, etc.). <p><u>Submission of comments to PP team:</u></p> <ul style="list-style-type: none"> » Comments to be submitted directly to the PP team using the Savannah Environmental online stakeholder engagement platform. |

| Regulation | Approach & Methodology to meet requirements |
|--|--|
| | <ul style="list-style-type: none"> » The online platform allows for feedback and comments to be submitted by I&APs, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting. » Written comments can also be submitted via email, post or fax. » Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments. <p><u>Alternative mechanisms for consultation with I&APs who have no access to electronic facilities:</u></p> <ul style="list-style-type: none"> » Post. » Placement of site notices on all affected properties. » Advertisement in printed media (local newspaper). » Radio announcements (local radio). » Consultation and communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members. » SMS or WhatsApp notification. » CDs to be posted, if requested (and where a computer is available). » Hard copy report where sanitary conditions can be maintained. |
| <p>Regulation 40(2) - Provide access to all project information that has the potential to influence any decision regarding the application, unless protected by law, and must include consultation with Competent Authority, Organs of State & registered I&APs.</p> <p>Regulation 41(6) – Relevant information available and accessible</p> | <p><u>Provision of project information and consultation via various means including:</u></p> <ul style="list-style-type: none"> » Telephonic consultation. » Email correspondence. » Correspondence sent via post. » SMS and/or WhatsApp. » The online stakeholder engagement platform will include the following: <ul style="list-style-type: none"> ○ A means to register on the project's database and provide details of their interest in the project. ○ Background information on the project. ○ Project maps (including locality map, layout map, sensitivity map, landowner map, etc). ○ Photos of the project site and surrounds. ○ Presentation with narration providing a summary of the project details and the findings of the EIA studies. ○ Posters providing a summary of the findings of the EIA process. ○ A means of submitting written comment or queries. |

| Regulation | Approach & Methodology to meet requirements |
|---|--|
| | <ul style="list-style-type: none"> » An electronic copy of the Scoping and EIA Report will be available on the Savannah Environmental website (www.savannahsa.com) for the convenience of online review. Access to the report via the Savannah Environmental website will be unrestricted to all I&APs. I&APs wanting to access the report electronically will be required to request a unique code to access the report of interest. This step and the online portal supports the EAP in maintaining a complete and accurate record and database of all parties who have interest in the project (and who choose to access the report via our online portal), in line with the requirements of the Regulations. » Virtual meetings using an appropriate platform agreeable to all parties (such as Zoom, Skype or Teams). The meetings will be recorded, and the attendees' details captured in an attendance register. Confirmation of their attendance will also be requested by e-mail and the correspondence will be included in the report. » Direct in-person consultation will only take place in limited numbers and where sanitary conditions can be and adherence to the Disaster Management Regulations can be maintained at all times. » Communities will be consulted via the relevant Ward Councillors, ward committee members, community representatives or local community forum members, as determined and confirmed during the consultation process. <p><u>Alternative mechanisms for consultation with I&APs who have no access to electronic facilities:</u></p> <ul style="list-style-type: none"> » Telephonic consultation. » Post or fax. » SMS and/or WhatsApp. » Consultation and communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members. » Direct in-person consultation will only take place in limited numbers and where sanitary conditions can be and adherence to the Disaster Management Regulations can be maintained at all times. |
| Regulation 41(2)(a) – Site notice | <ul style="list-style-type: none"> » Site notices will be placed at affected properties by the EAP. » Size and content will be in accordance with Regulation 41(3) & 41(4). |
| Regulation 41(2)(b) – Written notification to affected and neighbouring landowners and occupiers; municipality; ward councillors; Organs of State & other parties required by the CA | <ul style="list-style-type: none"> » Notification letter to be sent via email, fax or post. » SMS or WhatsApp notification. |
| Regulation 41(2)(c) – (e) – Advertisements | <ul style="list-style-type: none"> » Advert to be placed in a local newspaper. |

| Regulation | Approach & Methodology to meet requirements |
|--|--|
| | <ul style="list-style-type: none"> » Radio adverts (live reads) will be used as additional means of reaching the broader community based on the nature, extent of the project and the demographics within the vicinity of the project location. |
| Regulation 42 – Project database | <ul style="list-style-type: none"> » I&APs to be identified through a process of networking and referral, obtaining information from the Savannah Environmental existing stakeholder database, liaison with potentially affected parties in the greater surrounding area and a registration process involving the completion of a reply form. » Organs of State, key stakeholders and affected and surrounding landowners and occupiers will be identified and registered on the project database. » Other stakeholders will be required to formally register their interest in the project through either directly contacting the Savannah Environmental Public Participation team via email, telephone or fax or use of the Savannah Environmental website. » In order to access the Savannah Environmental online stakeholder engagement platform for a specific project, I&APs will be required to provide their details such that they are automatically registered on the project database. » The register of I&APs will contain the names of: <ul style="list-style-type: none"> ○ all persons who requested to be registered on the database through the use of the Savannah Environmental website, or in writing and disclosed their interest in the project; ○ all Organs of State which hold jurisdiction in respect of the activity to which the application relates; and ○ all persons who submitted written comments or attended virtual meetings and viewed virtual presentations on the Savannah Environmental website during the public participation process. » The information captured on the project database will contain the names, organisation and contact details, as required. It must be noted that personal details will not be shared in public documentation in accordance with the requirements of the POPI Act. <p><u>Alternative mechanisms for consultation with I&APs who have no access to electronic facilities:</u></p> <ul style="list-style-type: none"> » Process of networking and referral. » Telephonic registration. » SMS and/or WhatsApp. » Fax or post. |
| Regulation 44 – Comments to be recorded | <ul style="list-style-type: none"> » Comments will be able to be submitted directly to the PP team using the Savannah Environmental online stakeholder engagement platform. » The Savannah Environmental online stakeholder engagement platform includes: |

| Regulation | Approach & Methodology to meet requirements |
|--|---|
| | <ul style="list-style-type: none"> ○ A means to register on the project database and provide details of their interest in the project. ○ A means of submitting written comment or queries. » The online platform allows for feedback and comments to be submitted by I&APs, in so doing saving time for the stakeholder and also giving the assurance that their comments have been submitted for inclusion in the project reporting. » Written comments can also be submitted via email, post or fax. » Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments. » Minutes of meetings will be compiled and distributed to all attendees. Minutes will be included within the EIA reporting to be submitted to DEFF. » All comments received throughout the EIA process will be acknowledged and captured in the comments and responses report (C&RR) with a relevant response. » The C&RR and all comments received will be included each final report submitted to the CA. <p><u>Alternative mechanisms for consultation with I&APs who have no access to electronic facilities:</u></p> <ul style="list-style-type: none"> » Written comments via post or fax. » Comment submission telephonically and instant messaging (SMS and/or WhatsApp). » I&APs without the applicable electronic facilities to access the Savannah Environmental website will be provided with the opportunity to submit their comments and communicate with the public participation team via SMS, WhatsApp or by sending a Please-call-me notification. These comments will be transcribed and recorded as formal comments. |
| Regulation 4(2) – Notification of decision on application | <p><u>Notification of Environmental Authorisation (EA) using the following means:</u></p> <ul style="list-style-type: none"> » Notification letter with details as outlined in EA issued will be sent via email, fax or post. » Notification will be available on the Savannah Environmental website. » Notifications that the EA has been issued and where to download and/or obtain a copy to communities via Ward Councillor and his/her ward committee members and identified and confirmed community representatives. » SMS or WhatsApp notification. <p><u>Alternative mechanisms for consultation with I&APs who have no access to electronic facilities:</u></p> <ul style="list-style-type: none"> » Post or fax. |

| Regulation | Approach & Methodology to meet requirements |
|-------------------|---|
| | <ul style="list-style-type: none">» Communication through the ward councillor, ward committee members and confirmed community representatives and local community forum members.» SMS and/or WhatsApp. |

Gideon Raath

From: Lunga Dlova <LDlova@environment.gov.za>
Sent: Tuesday, 10 November 2020 10:06
To: Gideon Raath; Masina Litsoane
Cc: Jo-Anne Thomas; Ephron Maradwa
Subject: RE: 2020-11-0005 PRE APPLICATION MEETING

Good morning Gideon

DEVELOPMENT OF THE FODERE TITANIUM ZERO WASTE RECOVERY SOLUTION NEAR KWA-GUQA MPUMALANGA PROVINCE

The Public Participation Plan for the Highveld Steel project is approved. As such, no pre-application meeting will take place.

Regards
Lunga

From: Gideon Raath [mailto:gideon@savannahsa.com]
Sent: 09 November 2020 03:31 PM
To: Lunga Dlova; Masina Litsoane
Cc: Jo-Anne Thomas
Subject: RE: 2020-11-0005 PRE APPLICATION MEETING
Importance: High

Good day Lunga and Masina,

Thank you for getting back to us. In the interests of time please could I ask that you review the attached public participation plan for approval/modification prior to our meeting?

Thanks,

Gideon Raath
Environmental and Permitting Consultant | Savannah Environmental (Pty) Ltd
Tel: +27 (0)11 656 3237 | Cell: [REDACTED] | Fax: +27 (0)86 684 0547
[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

From: Lunga Dlova <LDlova@environment.gov.za>
Sent: Monday, 09 November 2020 14:01
To: Gideon Raath <gideon@savannahsa.com>
Subject: 2020-11-0005 PRE APPLICATION MEETING

Att: Gideon Raath

DEVELOPMENT OF THE FODERE TITANIUM ZERO WASTE RECOVERY SOLUTION NEAR KWA-GUQA MPUMALANGA PROVINCE

You're required to organise the pre application meeting via Microsoft teams.

Please extend the invitation to people who are expected to attend and also Masina Litsoane
(MLitsoane@environment.gov.za)

Meeting details:

Date: 12 November 2020

Time: 09:30 -10:30

Regards

Mr Lunga Dlova

IEA: National Infrastructure Development

Department of Environment, Forestry and Fisheries

Environment House

473 Steve Biko Road

Arcadia - Pretoria

Tel: 012 399 8524

████████████████████
Email: LDlova@environment.gov.za

"Nothing can dim the light which shines from within."

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