

APPENDIX C9:  
Public Participation Plan and Approval

**PUBLIC PARTICIPATION PLAN**  
**IN TERMS OF THE DIRECTIONS REGARDING MEASURES TO ADDRESS, PREVENT AND COMBAT THE**  
**SPREAD OF COVID-19 RELATING TO NATIONAL ENVIRONMENTAL MANAGEMENT PERMITS AND**  
**LICENCES DURING COVID-19 PANDEMIC**

**PROPOSED DEVELOPMENT OF A NEW WASTE DISPOSAL SITE AT THE ESKOM MAJUBA POWER**  
**STATION, NEAR AMERSFOORT, DR PIXLEY KA SEME LOCAL MUNICIPALITY, MPUMALANGA PROVINCE**

**Application yet to be submitted**

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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 public consultation as part of Environmental Impact Assessment (EIA) or Basic Assessment processes. Considering these limitations, the following consultation process has been designed and will be implemented, on approval by the Department of Forestry, Fisheries and the Environment (DFFE), to cater for the conducting of the public participation process which includes Interested and Affected Parties (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:**

Eskom Holdings Ltd (hereafter 'Eskom') is proposing the development of a Waste Disposal Site at the Eskom Majuba Power Station, located approximately 13km southwest of Amersfoort and 40km north-northwest of Volksrust. The study area falls within jurisdiction of the Dr Pixley Ka Seme Local Municipality, which forms part of the Gert Sibande District Municipality in the Mpumalanga Province.

In accordance with the EIA Regulations of December 2014, as amended in April 2017, published in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM:WA), and the List of Waste Management Activities (GNR 921), the construction and operation of the Waste Disposal Site is a listed activity requiring an Integrated Environmental Authorisation (EA) and Waste Management Licence (WML) from the DFFE. In terms of GNR 326 and GNR 921, the application for an Integrated EA and WML is required to be supported by a Scoping and EIA process.

**Public Participation Plan:**

The public participation (PP) process will be undertaken in accordance with the requirements of Regulations 39 to 44 of the EIA Regulations, 2014, as amended, (GNR 326). 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.

» 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 are still covered and implemented as part of this plan considering the current limitations in terms of the Regulations to limit risks associated with COVID-19. 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.

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 project information to be shared and made available.

Access to the project documentation via the Savannah Environmental website will be unrestricted to all I&APs. I&APs wanting to access the project information via this portal will be required to register and will receive a unique code (via an automated system) to access the report of interest. This step and the online portal support 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 the online portal), in line with the requirements of the Regulations.

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 which are 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 the 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. Hard copy documentation can be made available but will only be provided where appropriate sanitary conditions can be maintained.

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.



The PP plan, as set out in the table below, 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. Proof of all notifications will be included in the public participation appendix included in the Scoping and EIA Reports.

The PP plan is submitted to the DFFE for discussion and agreement before the PP process is undertaken for the proposed project.

**Public Participation Plan: Discussion of approach and methodology to meet the requirements of the Regulations, applicable to all above mentioned applications for environmental authorisation (combined where possible).**

Regulation	Approach & Methodology to meet requirements
<p>Regulation 40(1), Regulation 40(3) &amp; Regulation 43 – provide all potential or registered interested and affected parties, including the competent authority, <b>access to project related information</b>, access to the EIA reports which will be made available for a period of at least 30 days to <b>submit comments on draft reports</b> prior to submission of final reports for decision-making.</p>	<p><u>Notification of EIA processes to be distributed using the following means:</u></p> <ul style="list-style-type: none"> <li>• E-mail</li> <li>• Dedicated project page on the Savannah Environmental online stakeholder engagement platform</li> <li>• Post (where email or other means are not possible)</li> <li>• Site notices placed on site</li> </ul> <p><u>Notification of availability of reports and period for review using the following means:</u></p> <ul style="list-style-type: none"> <li>• Newspaper advert, including details of where the report can be accessed and details of the Savannah Environmental website.</li> <li>• Notification letter (to be sent via email, fax or post) to registered I&amp;APs.</li> <li>• Notifications to communities via one of the following, where available: Ward Councillor, ward committee members, identified and confirmed community representatives, and local community forum members.</li> <li>• SMS and/ or WhatsApp notifications where no other means are available.</li> </ul> <p><u>Availability of reports for review:</u></p> <ul style="list-style-type: none"> <li>• Reports available on the Savannah Environmental website for download.</li> <li>• 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.</li> <li>• CDs to be posted, if requested.</li> <li>• Hard copy project documentation and reports to be available only where appropriate sanitary conditions can be maintained.</li> <li>• Report will be submitted to the DFFE using the DFFE online portal.</li> <li>• Report 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.).</li> </ul> <p><u>Submission of comments to PP team:</u></p> <ul style="list-style-type: none"> <li>• Written comments can also be submitted via email, post or fax.</li> </ul>

Regulation	Approach & Methodology to meet requirements
	<ul style="list-style-type: none"> <li>• Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>• Post (where email or other means are not possible)</li> <li>• Placement of site notice on all affected properties.</li> <li>• Consultation and communication through one of the following, where available: the ward councillor, ward committee members and confirmed community representatives and local community forum members. It has been assumed that these forums would be suitable for notifications to occupiers, where access to these parties is not available through other means (such as direct consultation).</li> <li>• SMS or WhatsApp notification.</li> <li>• CDs to be posted, if requested (and where a computer is available).</li> <li>• Hard copy report only where sanitary conditions can be maintained.</li> </ul>
<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 <b>consultation</b> with Competent Authority, Organs of State &amp; registered I&amp;APs.</p> <p>Regulation 41 (6) – Relevant <b>information available and accessible</b></p>	<p>Provision of project information and consultation via various means including:</p> <ul style="list-style-type: none"> <li>• Telephonic consultation.</li> <li>• Email correspondence.</li> <li>• Correspondence sent via post (where email or other means are not possible)</li> <li>• SMS and/or WhatsApp.</li> <li>• The Savannah Environmental online stakeholder engagement platform will include the following: <ul style="list-style-type: none"> <li>○ A means to register on the project database and provide details of their interest in the project</li> <li>○ Project maps (as applicable)</li> </ul> </li> <li>• Virtual focus group meeting only using an appropriate platform agreeable to all parties (such as Zoom, Skype or Teams). The meeting 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.</li> <li>• Communities will be consulted via one of the following, where available: the relevant Ward Councillor, ward committee members, community representative or local community forum members, as determined and confirmed during the consultation process. It has been assumed that these forums would be suitable for notifications to occupiers, where access to these parties is not available through other means (such as direct consultation).</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>• Telephonic consultation.</li> <li>• Post (where email or other means are not possible)</li> </ul>

Regulation	Approach & Methodology to meet requirements
	<ul style="list-style-type: none"> <li>• SMS and/or WhatsApp.</li> <li>• Consultation and communication through one of the following, where available: the ward councillor, ward committee members and confirmed community representatives and local community forum members.</li> </ul>
Regulation 41(2)(a) – <b>Site notice</b>	<ul style="list-style-type: none"> <li>• Site notices will be placed at affected properties by the EAP, landowner or specialist, depending on specific travel restrictions applicable at the time.</li> <li>• Size and content will be in accordance with Regulation 41(3) &amp; 41(4).</li> </ul>
Regulation 41(2)(b) – <b>Written notification</b> 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"> <li>• Notification letter to be sent via email, fax, or post.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>» Post (where email or other means are not possible)</li> <li>» SMS or WhatsApp notification.</li> </ul>
Regulation 42 – <b>Project database</b>	<ul style="list-style-type: none"> <li>• I&amp;APs to be identified through a process of networking and referral, obtaining information from Savannah Environmental and Eskom's existing stakeholder databases, liaison with potentially affected parties in the greater surrounding area and a registration process involving response to adverts.</li> <li>• Organs of State, key stakeholders and affected and surrounding landowners will be identified and registered on the project database.</li> <li>• 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 or fax or use of the Savannah Environmental website.</li> <li>• To access the Savannah Environmental online stakeholder engagement platform, I&amp;APs will be required to provide their details such that they are automatically registered on the project database.</li> <li>• The register of I&amp;APs will contain the names of: <ul style="list-style-type: none"> <li>○ 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;</li> <li>○ all Organs of State which hold jurisdiction in respect of the activity to which the application relates; and</li> <li>○ all persons who submitted written comments or attended virtual meeting/s and viewed virtual presentations on the Savannah Environmental website during the public participation process.</li> </ul> </li> <li>• 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.</li> </ul>

Regulation	Approach & Methodology to meet requirements
Regulation 44 – <b>Comments</b> to be recorded	<ul style="list-style-type: none"> <li>• Written comments can also be submitted via email, post, or fax.</li> <li>• Any comments provided telephonically or via instant message will be transcribed and recorded as formal comments.</li> <li>• All comments received throughout the BA processes will be acknowledged and captured in the comments and responses report (C&amp;RR) with a relevant response.</li> <li>• The C&amp;RR and all comments received will be included in the final report submitted to the CA.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>• I&amp;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</li> <li>• Written comments via post or fax (where email or other means are not possible).</li> <li>• Comment submission telephonically and instant messaging (SMS and/or WhatsApp).</li> <li>• Sending a Please-call-me notification to the Public Participation team so that contact can be made.</li> </ul>
Regulation 4(2) – Notification of <b>decision</b> on application	<p><u>Notification of Integrated Environmental Authorisation (EA) and Waste Management Licence (WML) using the following means:</u></p> <ul style="list-style-type: none"> <li>• Notification letter with details as outlined in IEA and WML issued will be sent via email, fax, or post.</li> <li>• Notifications that the IEA and WML has been issued and where to download and/or obtain a copy to communities via one of the following, where available: Ward Councillor and his/her ward committee members and identified and confirmed community representatives.</li> <li>• SMS or WhatsApp notification.</li> </ul> <p><u>Opportunity and means of consultation where applicable facilities are not available to I&amp;APs:</u></p> <ul style="list-style-type: none"> <li>• Post (where email or other means are not possible)</li> <li>• Communication via one of the following, where available: the ward councillor, ward committee members and confirmed community representatives and local community forum members.</li> <li>• SMS and/or WhatsApp.</li> </ul>