

# 2016

## **PUBLIC PARTICIPATION REPORT: BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVIATION OF THE ESKOM JUNO-GROMIS 400kV TRANSMISSION LINE, IN THE NORTHERN AND WESTERN CAPE PROVINCES OF SOUTH AFRICA**

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## 1 INTRODUCTION

The Environmental Impact Assessment (EIA) Regulations of December 2014, require that during a Basic Assessment (BA) process, the organs of State together with interested persons and the general public be informed of the application and also be afforded an opportunity to comment on the application.

Public Participation Process (PPP) is any process that involves the public in problem solving and decision-making and it forms an integral part of the BA process. The PPP provides people who may be interested in or affected by the proposed development, with an opportunity to provide comments and to raise issues or concern, or to make suggestions that may result in enhanced benefits for the project.

Chapter 6, Regulation 39 through 44, of the EIA Regulations stipulates the manner in which PPP should be conducted as well as the minimum requirements for a compliant process. These requirements include (but not limited to):

- (a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of —
  - (i) the site where the activity to which the application relates is or is to be undertaken;
- (b) giving written notice to —
  - (i) the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
  - (ii) the owners, or persons in control of, and occupiers of that land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
  - (iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of rate payers that represent the community in the area;
  - (iv) the municipality which has jurisdiction in the area;
  - (v) any organ of state having jurisdiction in respect of any aspect of the activity; and
  - (vi) any other party as required by the competent authority;
- (c) placing an advertisement in —
  - (i) one local newspaper

The primary purpose of the report is as follows:

- To outline the PPP that was undertaken;
- To synthesise the comments and issues raised by the key stakeholders, I&APs; and
- To ensure that the BA process fully address the issues and concerns raised, if any.

## **2 PUBLIC PARTICIPATION PRINCIPLES**

The Public Participation principle holds that those who are affected by a decision have the right to be involved in the decision-making process i.e. the public's contribution will influence the decision. One of the primary objectives of conducting the PPP is to provide I&AP's with an opportunity to express their concerns and views on issues relating to the proposed project. The principles of public participation are to ensure that the PPP:

- Communicates the interests of and meet the process needs of all participants
- Seek to facilitate the involvement of those potentially affected.
- Involves participants in defining how they participate.
- Is as inclusive and transparent as possible, it must be conducted in line with the requirements of Regulations 39 - 44 of the EIA Regulations.

## **3 APPROACH AND METHODOLOGY**

The Public Participation approach adopted in this process was in line with the processes stipulated in Regulation 39 - 44 of the National Environmental Management Act, 1998 (Act 107 of 1998).

### **3.1 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES**

Interested and Affected Parties (I&APs) identified include pre-identified stakeholders (government department), landowners, Matzikama and Kamiesberg local Municipalities, South African Heritage Resources Agency as well as the general public.

### **3.2 PUBLIC PARTICIPATION DATABASE**

In accordance with the requirements of the 2014 EIA Regulations (regulation 42), a Register of I&APs must be kept by the public participation practitioner.

In fulfilment of this requirement such a register has been compiled and is constantly updated with the details of involved I&AP's throughout the process including their comments. The database is attached as **Appendix E5**.

### 3.3 SITE NOTICES

Six site notices were placed at conspicuous areas as follows:

- Tronox Mine;
- Matzikama Public library
- Matzikama Municipal office
- Local Engine garage
- Tronox Namakwa Sands Mine
- Lutzville;

Photographic evidence of the site notices are attached as **Appendix E1a**.

### 3.4 DISTRIBUTION OF NOTICES TO SURROUNDING LAND OWNERS/ OCCUPIERS

Notification letters were posted to stakeholders and the landowner on the 12 July 2016 (Refer to **Appendix E2** for Registered Mail). These letters were informing them of the proposed project as well as affording them an opportunity to comment or raise any issue that they might have. Further, the stakeholders and the landowner were given a 30 day calendar period to respond to the letters as per the 2014 EIA Regulations.

### 3.5 MUNICIPALITY IN WHICH THE SITE IS SITUATED AND OTHER GOVERNMENTAL AUTHORITIES

The project falls under Matzikama and Kamiesberg Local Municipalities in Western and Northern Cape provinces respectively. Notification and request for comments were submitted to the Municipalities and other Stakeholders including:

- Northern Cape Department of Water and Sanitation
- Northern Cape Department of Environment, Nature and Conservation
- Northern Cape Department of Agriculture and Rural Development
- Northern Cape Department of Roads and Transport
- Kamiesberg Local Municipality
- Matzikama Local Municipality
- Western Cape Department of Environmental Affairs
- Western Cape Department of Water and Sanitation
- Western Cape Department of Transport and Public Works

- Western Cape Department of Agriculture
- South African Heritage Resource Agency

### **3.6 PLACEMENT OF ADVERTISEMENT IN THE LOCAL NEWSPAPER**

An advertisement was placed on Cape Times newspaper on Friday the 15<sup>th</sup> July 2016. The local newspaper is published in English. The advertisement was aimed to further inform the I&APs of the proposed activity and to invite them to participate in the PPP process. Proof is attached as **Appendix E1b**.

### **3.7 PUBLIC MEETINGS**

No response has been received from the I&APs and organs of State to date, therefore, no public meeting has been held yet.

## **4 SYNTHESIS OF ISSUES AND RESPONSE**

Refer to Appendix E3 for comments and response report.

## **5 CONCLUSION**

The Public Participation Process was undertaken in fulfilment of the requirements of the Environmental Impact Assessment Regulations of December 2014. The PPP will continue throughout the project life cycle. Any comments made on the draft Basic Assessment Report will be appropriately addressed and further submitted to the Department of Environmental Affairs together with the final Basic Assessment Report.