

PUBLIC PARTICIPATION SPECIALIST REPORT

BACKGROUND

Baagi Environmental Consultancy cc, as Independent Environmental Assessment Practitioners have been appointed by Eskom SOC Holdings to facilitate the Scoping and EIA Processes required for the proposed construction of 2x500kv line from Nzhelele substation to connect with power lines coming from triangle substation Zimbabwe in the Musina district Limpopo province.

South Africa, Zimbabwe and Mozambique entered into a strategic alliance to assist each other in ensuring continuous and uninterrupted electricity supply within each of the countries. This entails infrastructure that will allow each of the countries to send or receive electricity, as and when required, from each other.

Eskom, as South Africa's electricity producer, is in the process of developing the required infrastructure that will allow this agreement to take effect.

Eskom requires the construction of two 500kv power lines from the Nzhelele Substation to the Limpopo river. These two power lines will link up with power lines that originate at Triangle substation in Zimbabwe. An application for a Scoping EIA Process was filed with the National Department of Environmental Affairs (DAE) with Reference number: DEA/EIA/0002224/2013.

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them. Section 57(1) of the Constitution that provides:

"The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement."

This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

In accordance with the National Environmental Act, 1998 (Act No. 107 of 1998), Gazette No. 33306, 18 June 2010, R543, a Public Participation process must be conducted, the comments from which, will assist the Department of Environmental Affairs regarding the proposed activity. Therefore, this Report contains a record of all actions taken to inform and consult with Interested and Affected

Parties(I&AP's)and records all issues (within the Issues and Response Report (IRR))raised by I&AP's and stakeholders.

PUBLIC PARTICIPATION

1. INTRODUCTION

Public participation plays an important role in an Environmental Impact Assessment. Public participation can be defined as a process leading to informed decision-making, through joint effort by the:

- Applicant;
- Technical experts and Environmental Specialists;
- Governmental Authorities; and
- Interested and Affected Parties (I&AP's).

To make a decision that is better than when they acted independently.

Public participation is a vehicle for public input, which achieves the following:

- Facilitates negotiated outcomes;
- Creates trust and partnership;
- Minimises negative effects;
- Maximises positive effects; and
- Provides an indication of issues, which may:
 - Prevent the project continuing;
 - Cause costly delays later;
 - Result in enhanced and shared benefits; and
 - Assist in mitigation of impacts.

Through the public participation process, Baagi Environmental Consultancy cc endeavoured to involve as many potential I&AP's and stakeholders as possible. The issues arising from the public participation process have been incorporated into the Draft Scoping Report and used in determining the Plan of Study, which will result in the studies contributing information towards the EIA report.

2. PUBLIC PARTICIPATION PROCESS – LEGAL FRAMEWORK

Public participation forms an integral part of the full EIA process and the Environmental Assessment Practitioner (EAP) is totally reliant on the Interested and Affected parties and stakeholder participation to ensure adherence to the legal requirements as set out in NEMA.

Sections 54 to 57 of Regulation R543 of the EIA Regulations (June 2010) promulgated under the National Environmental Management Act No 107 of 1998, as amended, are applicable. The important elements relating to the public participation process that are required by the Regulations are the following:

- The manner in which potential Interested and Affected Parties were notified of the application for authorisation, and that a public participation process was mandatory.

- This includes notice boards, giving written notice to landowners, letters, information documents and advertisements in the media (Section 54).
- Opening and maintaining a register of the names and addresses of I&AP's. These include all persons who have attended meetings, submitted comments, organs of State who have some form of jurisdiction in the assessment process, and all those who have requested that they be placed on the register as registered I&AP's (Section 55).
- Registered I&AP's are entitled to comment, in writing, on all written submissions made to the competent authority by the applicant or the EAP managing the application, and to bring to the attention of the competent authority any issues which that party believes may be of significance when the application is considered for authorisation (Section 58). The comments of registered I&AP's must be recorded and included in the reports submitted to the competent authority (Section 56).
- Comments of I&AP's to be recorded in a report and submitted to the competent authority (Section 57).

The Public Participation (PP) team set out an information program during the Scoping Phase of the process to ensure that as many I&AP's as possible were well informed about the proposed project as possible in order to form part of the EIA from inception to completion.

During the EIA Phase, the focus was on informing potential I&AP's as well as registered I&AP's about the project and to ensure that they (and other stakeholders) have ample opportunity to comment and give input, especially with regard to their preferred alignment. There was no cut-off date for registering as I&AP's and new stakeholders were welcomed into the process throughout.

3. PHASED APPROACH DURING THE SCOPING PHASE

The PP process during the scoping phase is broadly divided in two periods:

- **Informative Period** – During this period the public is informed about the proposed activities and is provided with the opportunity to be registered as well as to raise issues as far as the project is concerned.
- **Consultative Period** – During this period the public has been supplied with information, the Draft Scoping Report, that will allow all parties to the process the opportunity to discuss and consult each other about the information supplied and the way forward as well as to discuss the results of the processes followed.

4. INFORMATIVE PERIOD

The aim of the informative period within the greater PP process is to inform as many people and organizations about the process and the proposed activities. A data base to assist in keeping record of the I&AP's was established which is used as the basis for future contacts with I&AP's. The PP process is a continuous process throughout the life cycle of the EIA and is never a closed for new entries up to the date of submission of the final EIR.

The area of influence and covered under this period is from the Nzhelele Sub Station site on R525, Tsipise road, about 300m East of the N1, to the Limpopo river, north of the town of Musina. The area of influence includes areas, both East and West of Musina up to the Limpopo river as far East as the farmLeeufontein and West of Beitbridge.

The following actions were taken during the informative period of the Scoping Phase.

4.1 Developing the I&AP Database

1. The Public Participation Process in the EIA Phase kicked off with an exercise to ensure that the team had contact details of parties. The initial stages of the process were conducted in January 2014. The PP team visited the area and communicated with farmers union and land owners as well as members of the Musina municipality to obtain as many land owners and organisations details as possible. The data base included NGO's, Tourism facilities, land owners government department etc.

4.2 Newspaper Advertisements

The following newspaper were used to inform potential I&AP's of the process:

Table 1 Newspapers and publication dates

Newspaper	Publication Date
Limpopo Mirror (Sepedi and Tshivenda)	25April 2014
Zoutpansberger (Eng)	25 April 2014

The proof of the advertisements can be seen in **Appendix 1**.

4.3 WinDeeds Search

Landowners were identified through searches on WinDeeds.

4.4 Site Notices

Site notices in Afrikaans, Sepedi, Tshivenda and English were placed throughout the study area, (Please refer to **Appendix 2** for photos and locations of notices.) Notices were placed at or near the following towns/areas:

- Musina
- Beitbridge

4.5 Knock-and-Drop

Knock and Drops were done within the adjacent and immediate areas of the proposed maintenance areas and power line towers. All knock and drops were done on 8 to 10 April 2014. See **Appendix 3** for knock and drop proof.

4.6 Pre-identified I&AP's

Organs of State, NGOs, service providers (e.g. Transnet and TRAC), Farmers' Unions and municipalities identified beforehand and informed of the proposal at hand. They were placed on the database by default. (see **Appendix 3**).

4.7 Notifying Potential I&AP's of the Project

An initial advertisement advertising the proposed project and the process that was to commence was placed in the Zoutpansberger and Limpopo Mirror of 25 April 2014. This advertisement asked all those who were affected or felt that they were interested to register as I&AP's. (Please refer to **Appendix 1** for the tear sheets of the advertisements).

In addition to the advertisements, Site notice as indicated in section 4.4 and knock and drop notices as indicated in section 4.5 was used to inform the public of the process. All of these were done in Tshivenda, Sepedi and English.

4.8 Kick-off Focus Group and Public Meetings

Introduction public meetings were held at the following venues and times:

Date	Venue	Time
12 May 2014	Sand River Resort – N1	18H00
13 May 2014	Musina Lodge – Limpopo Avenue	18H00
14 May 2014	Nancefield Hall – James Chirwa Street	18H00

Three meetings were held in total to inform the public as to the project and how they can be involved in the project. **Appendix 4** is the minutes of these meetings.

5. CONSULTATIVE PERIOD

The aim of the Consultative Period is to put the Draft Scoping Report in the Public Domain and collect comments with regard to the Draft Scoping Report. The consultative period will be from 11 September 2014 to 17 October 2014. The following actions will be taken during the consultative period of the Scoping Phase.

5.1 Informing all I&AP's and Landowners on data base

Although NEMA states that only registered I&AP's need to be informed, due to the fact that Baagi has not received and registration forms all I&AP's on the database will be informed of the Scoping review period. All landowners on the data base will be informed as well.

5.2 Public Places where the DSR will be Available for Perusal

One Hard Copy of the Draft Scoping Report will be made available at each of the following locations.

Table 2 Public Places

Place	Address
Nancefield Library	Nancefield Community Centre
Musina Municipality	21 Irwin Street, Musina
Elephant Inn / Sand river resort	Sasol Garage N1 high way
Beitbridge Shell Garage	N1 just before the Beitbridge Border Post
Musina Nature Reserve Office	Off the N1 high way just south of Musina Town
Musina Police Station	Flax Avenue Musina

5.3 Newspaper Advertisements Informing I&AP's of the Availability of the Draft Report

Newspaper advertisements will be placed in the Zoutpansberger and Limpopo Mirror to inform the public regarding the availability of the Draft Scoping report for review.

E-mails and letters will also be sent to state organs, NGO's and I&AP's to inform them of the availability of the DSR for comment.

5.4 Focus Group and Public Meetings

The aim of the Focus Group and Public Meetings at this point will be to present the findings of the Draft Scoping Report and collect further issues as well as issues specifically pertaining to the Draft Scoping Report from attendants. Informative

Public Meetings that will be focussed on reaching the farmers and public within the study area will be held on in the week of 6 October 2014 at the following venues:

Table 3: Schedule of Stakeholder and Public Information Meetings

Date	Type of Meeting	Venue	Time
7 October 2014	Public Meeting	Sand River Resort – N1	18H00
8 October 2014	Public Meeting	Musina Lodge – Limpopo Avenue	18H00
9 October 2014	Public Meeting	Nancefield Hall – James Chirwa Street	18H00

The minutes of these meetings can be seen in **Appendix 4**.

6. ISSUES AND RESPONSES REPORT (IRR)

To date Baagi has not received and issues or responses on the project. This is to be expected as only limited information was available to the public, comment have been received as part of the registration and can be found in the comments and response report section 7. With the Draft Scoping report now available it is envisaged that more feedback will be received from I&AP's.

7. COMMENTS REPORT (CR)

A Comments Report was developed to capture issues that pertain to the content and quality of the Draft Scoping Report. Please refer to **Appendix 4** for the CR received on registration to date.

8. CONCLUSION

The PP process is inclusive and ongoing and will continue into the final Scoping report and detailed EIA phase of the project.

All measures to inform the public of the proposed project were successfully implemented. The process has thus far been open and transparent. In accordance with the legislation, Interested and Affected Parties were identified and notified of the proposed development.

APPENDIX 1

NEWSPAPER ADVERTISEMENTS - TEAR SHEETS (Commencement of Project)

APPENDIX 2

**SITE NOTICES AND BID
DOCUMENT (Commencement of Project)**

APPENDIX 3

PROOF OF KNOCK AND DROP

APPENDIX 4

MINUTES OF PUBLIC MEETINGS HELD

APPENDIX 5

COMMENTS AND RESPONSE

APPENDIX 6

I&AP CURRENT REGISTRED DATABASE