

1. PUBLIC PARTICIPATION PROCESS RECORD

This section provides an account of the Public Participation Process (PPP) activities undertaken to facilitate public review of the Draft Scoping Report (DSR).

The comment period commenced on 11 April 2005 and closed on 10 May 2005. Various opportunities were provided during the review period and comprised of the following:

Notification:

- Personalised letters in English were sent by fastmail on 06 April 2005 to all registered I&APs informing them of the availability of DSR and comment period (Annexure 2).
- The same letter was sent by registered mail on 06 April 2005 to all identified landowners.
- Key stakeholders were contacted telephonically.
- Print media advertisements (Annexure 1) advertising the comment period, public meeting and venues for accessing the DSR were placed as follows:

Publication	Distribution	Language	Dates
Ilanga	Regional	Zulu	11 April 2005
Ladysmith Gazette	Local	English	08 April 2005
Harrismith Chronicle	Community	Afrikaans	08 April 2005
Harrismith Chronicle	Community	English	08 April 2005
Natal Witness	Regional	English	08 April 2005
Estcourt and Midlands News	Local	English	08 April 2005
Sunday Times	National	English	10 April 2005
Rapport	National	Afrikaans	10 April 2005

Distribution of the DSR

- Copies of the DSR were made available at the following public venues.
 - Emnambithi/Ladysmith Public Library.
 - Umtshezi/Estcourt Public Library.
 - Emnambithi Regional Authority Office.
- CD and/or hard copies were distributed to the following key stakeholders:
 - Uthukela District Municipality.
 - Emnambithi/Ladysmith Local Municipality.
 - Umtshezi/Estcourt Local Municipality.
 - KwaZulu Natal Agricultural Union.
 - Besters Farmers Association.
 - Ladysmith and District Farmers Association.
 - Estcourt Farmers Association.
 - Colenso Farmers Association.
 - Ezemvelo KZN Wildlife.
 - South African Heritage Resources Agency.
 - Institute for Cultural Resources Management.
 - BirdLife.
 - Wildlife and Environment Society of South Africa.
 - Petronet.
 - South African National Roads Agency.
 - N3 Toll Concessionaire.

- A summary of the findings of the DSR (in English) accompanied the letter. A Zulu version was also sent to all traditional authorities and I&APs who preferred to receive correspondence in Zulu.
- The DSR and summary was posted on Eskom's website (www.eskom.co.za/eia).

Opportunities for comment on the DSR:

- Comment sheets (Annexure 3) were sent with the personalised letters, and made available at public venues and on the project website.
- Where required, assistance was provided to I&APs in order to facilitate understanding of the DSR.
- Opportunities for holding meetings with various stakeholder groups on their request were communicated through the personalised letter (Annexure 2).
- Participative discussions were arranged with various key stakeholder groups, including farmers' associations and local municipalities, to facilitate its review:
 - A Focus Group Meeting with the Emnambithi/Ladysmith Local Municipality was held on 06 May 2005. (Annexure 5 provides a record of the meeting).
 - Meeting with Mr Alf Lees – landowner and Secretary of the Ladysmith and District Farmers Association. (Annexure 5 provides a record of the meeting).
 - Meeting with Mr Nigel Ralfe – landowner and member of the Estcourt Farmers Association. (Annexure 5 provides a record of the meeting).
- A public meeting to discuss the findings of the DSR was held on 06 May 2005 at the Ladysmith Royal Hotel. (Annexure 4 provides a record of the meeting).
- Comments on the DSR have been included in a DSR Comment and Response Report submitted to the environmental authorities, i.e. DEAT and KZN DAEA with the Final Scoping Report (Annexure 7).

Notification of the Record of Decision

Should DEAT issue a Record of Decision based on the findings of the Final Scoping Report, notification will given to I&APs via advertisements and personalised letter, and any other condition contained in the Record of Decision.

ANALYSIS OF THE DSR PUBLIC PARTICIPATION PROGRAMME

In addition to the analysis given in Section 5, Appendix A (Public Participation Process Record – DSR), the following comments can be made:

- The participation of the farmers associations has decreased dramatically during the latter part of Scoping. This appears to be a direct result of unresolved conflict with Eskom regarding other powerlines that traverse their properties, and litigation against Eskom for certain incidences is currently underway. While there has been some communication between the project team and individual members of the Ladysmith and District and Besters Farmers Association, a letter has been received formally announcing their withdrawal from the EIA process (letter emailed is provided in Annexure 6).
- In general, landowners are pessimistic about their input to the EIA process and strongly doubt whether they will have any influence on decisions made by DEAT.
- There were no comments on the DSR submitted by traditional authorities. Although Zulu summaries were sent to them and the full report was sent to umbrella bodies, this was not unexpected. Traditional authorities had indicated during the first round of consultative meetings

that no further meetings were required, as part of the DSR review process and that contact must be established only once a preferred route had been selected.

CONCLUDING REMARKS

It is ACER's opinion that due process has been followed and that the I&APs have been afforded the opportunity to meaningfully participate in Scoping and comment on the DSR. Should a positive Record of Decision be issued by DEAT, it is crucial that consultation with I&APs continue, particularly with those directly affected. Consideration should also be given to formalising the ongoing consultation process within the Environmental Management Plan.

