

---

# PUBLIC PARTICIPATION REPORT PROPOSED FOSKOR-MERENSKY 275KV±130KM LINE AND ASSOCIATED SUBSTATION WORK

---

## 1 INTRODUCTION

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

Public participation principles are best embodied in the principles of the National Environmental Management Act (Act 107 of 1998) which is South Africa's overarching environmental law. In addition, Section 24(5), Regulation 54-57 of GNR 543 under the National Environmental Management Act, guides the public participation process which is a requirement for an Environmental Impact Assessment (EIA) process.

The primary purpose of the report is to:

- outline the public participation that was undertaken;
- synthesise the comments and issues raised by the key stakeholders and interested and affected parties; and
- ensure that the report fully addresses the issues and concerns raised by the public.

## 2 PUBLIC PARTICIPATION PRINCIPLES

The principle of the Public Participation 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 may influence a decision. One of the primary objectives of conducting the PPP is to provide interested and affected parties 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 meets the process needs of all participants
- Seeks 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 Regulation 54-57 of NEMA (Act 107 of 1998).

## 3 APPROACH AND METHODOLOGY

The Public Participation approach adopted in this process was in line with the processes contemplated in Regulation 54-57 of the National Environmental Management Act, (Act 107 of 1998) ("the Act"), which provides that:

### INTERESTED AND AFFECTED PARTIES BE IDENTIFIED

In line with this requirement, the identification of key stakeholders was done in collaboration with Eskom, Local municipalities and other organisations in the study area.

A registration process commenced to capture details of all pre-identified stakeholders, landowners, tribal authorities, municipalities, councillors as well as Interested and affected parties. Assistance was also sought from SANParks in terms of relaying information to their members within the area.

### **3.2 PUBLIC PARTICIPATION DATABASE**

In accordance with the requirements that a Register of I&APs must be kept by the public participator practitioner, a database was created to capture details of all pre-identified stakeholders, landowners, tribal authorities, municipalities, councillors as well as Interested and affected parties. This database was constantly updated as and when new information and data was received.

Furthermore, comments and contributions received from stakeholders were recorded; linking each comment to the name of the person who made it and the mode of communication used.

In fulfilment of this requirement a register has been compiled and is constantly updated with the details of involved I&APs throughout the process including their comments. The database is attached as Appendix B11.

### **3.3 PLACEMENT OF AN A2 SIZE LAMINATED NOTICE<sup>1</sup> AT THE PROPOSED DEVELOPMENT SITE.**

The requirement of the Act stipulate the need for fixing a notice board at a place conspicuous to the public at the Boundary fence of the site as contemplated in Section 56(2)(a):

Site notices were placed on the notice boards of the public libraries and other conspicuous places to inform them of the public meetings as well as the availability of the Draft EIR for review and comment. Proof of such is attached as Appendix B4.

This was done to fulfil the requirements set out in Section 54 of the Act.

### **3.4 DISTRIBUTION OF A4 NOTICES TO SURROUNDING LAND OWNERS/ OCCUPIERS**

During the month of August, all registered Interested and Affected Parties were faxed/emailed/posted notification letters which entailed details of the venues where the Draft EIR could be reviewed and also the dates for public and focus group meetings which were conducted between the 18 and 20<sup>th</sup> September 2012 at various locations.

In response to the letters submitted to the landowners, interested and affected parties, and stakeholders, more requests for registering of the (I&AP) comments were received from stakeholders, I&AP's as well as landowners seeking more clarity on the proposed project and requesting to be kept abreast with the project proceedings.

A telephonic conversation database together with comments is attached hereto with all relevant correspondence with I&AP's as Appendix B9.

### **3.5 THE OWNERS AND OCCUPIERS OF LAND WITHIN 100 (ONE HUNDRED) METERS OF THE SITE BOUNDARY**

From the 23<sup>rd</sup> August till the 24<sup>th</sup> August 2012, letters were sent out to the owners and occupiers of land within 100 (one hundred) meters of the site, which letters outlined the following:

---

<sup>1</sup>Site notices were prepared in English and three other suitable languages.

These letters aimed to invite the adjacent land owners to the public meetings that were scheduled for September and to further notify them about the availability of the Draft EIR and copies and proof of the letters are annexed as Appendix B9.

The requirements outlined herein have been duly met and complied with.

### **3.6 MUNICIPAL COUNCILLORS OF THE WARD IN WHICH THE SITE IS SITUATED AND OTHER GOVERNMENTAL AUTHORITIES**

Various government authorities were informed about the availability of the Draft EIR and the public meetings by means of formal letters explaining the proposed activity and were invited to comment. Such requests for comments were submitted to the following government stakeholders:

- Capricorn District Municipality
- Ba-Phalaborwa Local Municipality
- Maruleng Local Municipality
- Greater Tubatse Local Municipality
- Limpopo Department of Economic Development and Environmental & Tourism
- South African National Parks
- Department of Agriculture, Forestry and Fisheries
- Road Agency Limpopo
- South African National Road Agency

This letters were sent via post and fax and proof of such is included as Appendix B7

The Draft EIR was hand delivered to all stakeholders and proof of such is attached as Appendix B3A

### **3.7 PLACEMENT OF ADVERTISEMENT IN THE LEGAL SECTION OF A LOCAL NEWSPAPER, ON THE PROVINCIAL GAZETTE AND OTHER NATIONAL PUBLICATIONS**

Notices were placed during the month of August in local newspapers, taking into consideration the various requests made by the I&APs regarding newspapers that should be used for advertising.

Notices were placed in one language on the Legal Section of the local newspapers on the 24<sup>th</sup> August 2012 and an addendum was placed on the 31<sup>st</sup> August 2012. These newspapers were the Phalaborwa Herald, Hoedspruit Herald, Kruger2Canyon and Steelburger The advert was aimed at providing further information to the stakeholders and I&AP's of the proposed activity, inviting them to submit their comments and to attend the public meetings and focus ground meeting as scheduled. A period of 40 days was allowed for the public to review and comment on the report. Responses were received following the newspaper advertisements.

### **3.9 PLACEMENT OF DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR COMMENT**

The Interested and Affected parties, stakeholders, landowners and developers were informed about the availability of the Draft EIR. The correspondence that was used was through newspaper advertisements and through notification letters which were faxed and posted to all stakeholders and registered I&AP's.

The Draft EIR was made available for review at the following places and websites:

- Phalaborwa Public Library
- Maruleng Public Library
- Burgersfort Public Library
- Ga-Mametja Tribal Office
- Ga-Moraba Tribal Office
- The Oaks Tribal Office
- Eskom and Nsovo Website

However, all pre-identified stakeholders were given a copy of the Draft Report for review, registered I&AP, landowners and developers were also given disc reports. The disc report was also made available upon request.

Following the distribution of the draft EIR to the stakeholders, comments were received from SANPark, Department of Water Affairs, DEA and Department of Agriculture. Comments are attached hereto. Such correspondence is attached as Appendix B10.

### **3.10 PUBLIC AND FOCUS GROUP MEETINGS**

Public meetings were scheduled from the 18<sup>th</sup> September 2012 to the 20<sup>th</sup> September 2013 at various venues i.e. from Phalaborwa to Steelpoort. The aim of these meetings was to further clarify and notify interested and affected parties, stakeholders, landowners and developers about Eskom's intension for the proposed project, furthermore, to record all issues, concerns and comments that will be raised by the I&AP's, stakeholders, Tribal Authorities, Ward Councillors and Developers who are affected by the proposed activity. Issues that were raised were recorded and are included as part of the PPP report that will also be an arm of the Final EIR to the submitted to DEA for authorisation. These meetings were conducted in line with Regulation 54-57 of GNR 543 of the EIA Regulation.

On the 18<sup>th</sup> September 2012, a public meeting was held at the Ba-Phalaborwa Local Municipality in the Activity Hall, such meeting was scheduled to be in two sessions i.e. 09:00 was arranged for the Stakeholders, Tribal Authorities and Ward Councillors and the 12:00 session which was for the interested and affected parties, landowners and developers. The meeting was only attended by a representative from Sanparks. Minutes and Attendance register is attached as Appendix B6 and B6A respectively.

On the 19<sup>th</sup> September 2012, a public meeting was conducted which was held at Maruleng Local Municipality. The meeting started at 09:00 where stakeholders from Maruleng Local Municipality, Headman's, Chief and Ward Councillors attended duly. The 12:00 session was attended by landowners and developers. Minutes and Attendance register is attached as Appendix B6 and B6A respectively. Following the meeting the I&Aps requested a further meeting to discuss the final recommendations prior submission and this meeting was arranged accordingly.

On the 20<sup>th</sup> September 2012, another public meeting was arranged at the Greater Tubatse Local Municipality boardroom. As per the programme of the meetings, two sessions were arranged; the meeting was attended by ward councillors and community representatives. Minutes and Attendance register is attached as Appendix B6 and B6A respectively.

---

## **FOCUS GROUP MEETING**

A focus group meeting was arranged as requested by the I&As in Hoedspruit. The meeting was held on the 27<sup>th</sup> November at the K2C offices and this meeting aimed to discuss the final recommendation with consideration of alternative 5. The minutes of the meeting and attendance register is attached as Appendix B8 and B8A.

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

The issues and concerns identified by interested and affected parties and various stakeholders during the Public Participation Process as well as all written comment submitted by interested and affected parties is attached as Appendix B2.

## **5 CONCLUSION**

The public participation process fully complied with the requirements of regulation 54 of NEMA (Act 107 of 1998). No significant shortcomings were noted throughout the process.

